(SRI T. CHANNIAH.)

9879-80—Med. 75-54-2, dated 18th August 1954 and M. 20536-37—Med. 75-54-7, dated 13th January 1955.

(*b*) Saturday and Sunday fortnightly.

(*c*) No Specialists in E.N.T. and Eye Diseases were ever exclusively posted to the General Hospital, Tumkur. But some of the officers who were posted in the past to Tumkur, as District Medical Officer or as Resident Medical Officer, General Hospital, Tumkur, happened to be Specialists in E.N.T. or Eye diseases.

(*d*) Does not arise in view of reply te clause (*c*).

(*e*) No.

1 P.M.

ಶ್ರೀ ಟಿ. ಎಚ್. ಮೂಡಲಗಿರಿಗೌಡ.—ಯಾವ ತಾರೀಕಿನಲ್ಲಿ E.N.T. ಮತ್ತು Eye Specialists ತುಮಕೂರಿನ ಜನರಲ್ ಆಸ್ಪತ್ರೆಗೆ ಭೇಟಿ ಕೊಟ್ಟಿದ್ದಾರೆ?

ಶ್ರೀ ಟಿ. ಚನ್ನಯ್ಯ.—ಸುಮಾರು ಎರಡು ತಿಂಗಳ ಹಿಂದೆ ಎಂದು ಕಂಡುಬರುತ್ತದೆ.

ಶ್ರೀ ಟಿ. ಎಚ್. ಮೂಡಲಗಿರಿಗೌಡ.—E.N.T. Cases ಇದುವರೆಗೆ ಯಾವ ಯಾವ ತಿಂಗಳುಗಳಲ್ಲಿ ಎಷ್ಟೆಷ್ಟು ಬಂದಿವೆ?

ಶ್ರೀ ಟಿ. ಚನ್ನಯ್ಯ.—ಸರ್ಕಾರದವರು statistics ತರಿಸಿಕೊಂಡಿಲ್ಲ. ಬೇಕಾದರೆ, ಮಾನ್ಯ ಸದಸ್ಯರಿಗೆ ಅಂಕಿ ಅಂಶಗಳನ್ನು ತರಿಸಿಕೊಡುತ್ತೇನೆ.

ಶ್ರೀ ಟಿ. ಎಚ್. ಮೂಡಲಗಿರಿಗೌಡ.—Eye specialist ಬಂದ ದಿವಸ ನೂರಾರು ಕೇಸುಗಳು ಬಂದು ಪರೀಕ್ಷೆ ಮಾಡುವುದಕ್ಕೂ ಸಾಧ್ಯವಿಲ್ಲದೆ, ಹೀಗೆ ತೊಂದರೆಯಾಗಿರುವುದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ?

ಶ್ರೀ ಟಿ. ಚನ್ನಯ್ಯ.—ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿಲ್ಲ. ಈಗ ಈ ತರಹದ ಕೇಸುಗಳು ಜಾಸ್ತಿ ಭಾರದಂತೆ ಡಾಕ್ಟರ್ ಮೋದಿಯವರು ಹೆಚ್ಚಿಗೆ eye operations ಕಾರ್ಯಕ್ರಮವನ್ನು ತೆಗೆದು ಕೊಂಡಿದ್ದಾರೆ. ಕಣ್ಣು ಬೇನೆಯಿಂದ ನರಳತಕ್ಕವರು ಸರ್ಕಾರಿ ಆಸ್ಪತ್ರೆಗಳಿಗೆ ಹೋಗುವುದು ಕಡಮೆಯಾಗಿದೆ.

ಶ್ರೀ ಟಿ. ಎಚ್. ಮೂಡಲಗಿರಿಗೌಡ.—ಎಲ್ಲಾ ತಾಲ್ಲೂಕು ಮತ್ತು ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಆಸ್ಪತ್ರೆಗಳಲ್ಲಿಯೂ eye operations ಮತ್ತು eye examinations ಕೇಸುಗಳು ಬಹಳವಾಗಿ ಬರುತ್ತಿವೆ. ಆದ್ದರಿಂದ Eye Specialist ಒಬ್ಬರನ್ನು ಮತ್ತು E.N.T. Specialist ಒಬ್ಬರನ್ನು ನಮ್ಮಲ್ಲಿ ತರಬೇತು ಹೊಂದಿದ ಜನರು ಇಲ್ಲ ಎಂತಲೋ ಅಥವಾ ಖರ್ಚು ಜಾಸ್ತಿಯಾಗುತ್ತದೆಂತಲೊ ಇಡಲು ಏರ್ಪಾಡು ಮಾಡಿಲ್ಲ?

ಶ್ರೀ ಟಿ. ಚನ್ನಯ್ಯ.—ಹಾಗೆ ಮಾಡದೇ ಇರುವುದಕ್ಕೆ ಮೂರು ಕಾರಣಗಳಿವೆ. ಸಾಮಾನ್ಯವಾಗಿ ಅಷ್ಟು ಹೆಚ್ಚಿನ ಪ್ರಮಾಣದಲ್ಲಿ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಆಸ್ಪತ್ರೆಗಳಿಗೆ eye patients ಗಳು ಬರುವುದಿಲ್ಲ. ಮತ್ತು ಜನರಲ್ ಆಸ್ಪತ್ರೆಗಳಲ್ಲಿ ಡಾಕ್ಟರುಗಳನ್ನು ಹೆಚ್ಚಿಗೆ ನೇಮಕ ಮಾಡಿದರೆ ಹೆಚ್ಚಿಗೆ ಹಣ ಖರ್ಚಾಗುತ್ತದೆ ಎಂದು.

RAJPRAMUKH'S RECOMMENDATION.

Mr. SPEAKER.—I have received the following Order from the Rajpramukh:—

"In pursuance of clause (1) of Article 205 of the Constitution of India, I, Jaya Chamaraja Wadiyar, Rajpramukh of Mysore, do hereby direct that the statement showing the Demands for Grants to cover expenditure incurred in excess of Voted Grants and Charged Appropriations during 1950-51 detailed in the Statement annexed be laid before the February-March 1955 Session of the Legislature.

	Rs.
Voted	
Expenditure met from Revenue ...	59,26,900
Capital	68,36,500
	1,27,63,400
Charged	
Expenditure met from Revenue ...	1,32,300
Grand Total ...	1,28,95,700

JAYA CHAMARAJA WADIYAR,
Rajpramukh of Mysore."

MYSORE (RELIGIOUS AND CHARITABLE) INAMS ABOLITION BILL, 1954.

Statement by Minister.

Sri Kadidal MANJAPPA (Minister for Revenue and Public Works).—Sir, I promised to furnish a financial statement on the Mysore (Religious and Charitable) Inams Abolition Bill. I will just read out with your permission, the statement.

"The total extent of Devadaya and Dharmadaya lands in the State according to the latest figures is 3,11,792 acres. The assessment payable on this extent is Rs. 4,12,334-13-1 After the Survey Settlement is introduced, the assessment will be roughly 6 lakhs. At present the Jodi and quit rent realised is Rs. 81,835-3-5. Therefore, the extra revenue that Government will be able to realise by way of Land Revenue is about Rs. 5,18,164-12-7. The total area of waste land, gomal, forest and other lands which will vest in the State after the Inams are abolished is roughly 1,23,226 acres. Out of this extent, an extent of nearly 40,000 acres will be available for disposal. The Government are likely to realise an upset price of nearly eight lakhs of rupees. In addition, the Government will get a land revenue of nearly Rs. 80,000 on this extent of 40,000 acres. In addition to the above items of income, the Government are likely to get an income of nearly Rs. five lakhs from the forests, quarries, etc. The present income of the several Institutions including Sringeri Jahagir (from the Inam lands) is roughly 15 lakhs. The income the Government are likely to get from the Land Revenue and other sources as stated above will be roughly Rs. 11,30,164-11-7. The balance will be covered by the rent that the Government will be realising from tenants-at-will. There is thus no financial liability involved."

I move that this may be substituted for the previous financial memorandum.

Mr. SPEAKER.—The question is:

"That the Mysore (Religious and Charitable) Inams Abolition Bill, as reported by the Joint Select Committee be taken into consideration."

The motion was adopted.

Mr. SPEAKER.—Now we shall take up the Bill clause by clause. I want to know whether all the Hon'ble Members have received the amendments now or not.

HON'BLE MEMBERS.—Yes.

Mr. SPEAKER.—We shall take up the consideration of the clauses. Clause 2.

ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ (ಸಾಗರ-ಹೊಸನಗರ).—ಸ್ವಾಮಿ, ಎರಡನೆ ವಿಧಿಯಲ್ಲಿ clause (2) ಎನ್ನುವ ಕಡೆ ಈಗಿರತಕ್ಕಂಥ permanent tenant ಎಂಬ ಪದದ ಅರ್ಥ ವಿವರಣೆಯ ಜೊತೆಗೆ ನಾನು ಈ ರೀತಿ ತಿದ್ದುಪಡಿಯನ್ನು ಮಾಡಬೇಕೆಂದು ಹೇಳಿ ಒಂದು ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿದ್ದೇನೆ. ನನ್ನ ತಿದ್ದುಪಡಿ ಹೀಗಿದೆ.

I beg to move that:

'In item 12, after the words "the duration of the tenure of the inamdar" the following words shall be added, namely—

"and includes a person who has been in continuous possession of any land used for agricultural purposes in an inam by cultivating such land thereon himself on payment of rent to the inamdar for a period not less than twelve years prior to the date of vesting."'

Mr. SPEAKER.—Let the Hon'ble Minister also move his amendment. Then we shall throw open both the amendments and the clause for discussion.

Sri S. GOPALA GOWDA.—Yes.

Sri Kadidal MANJAPPA (Minister for Revenue and Public Works).—Sir, I beg to move:

"At the end of item (12), the following words shall be added, namely:—

"but where the inamdar is a temple, shall not include a pujari or archak of the temple who is enjoying any land comprised in the inam of such temple rendering service to or maintaining the temple and who does not pay rent as such in money or in kind to the temple in respect of such land."'

Sri M. LINGANNA (Nanjangud)—May I suggest that after the consideration is over, now we shall take up all the amendments together and debate them?

Mr. SPEAKER.—We are taking up the Bill clause by clause.

Amendments moved:

'In item 12, after the words "the duration of the tenure of the inamdar" the following words shall be added, namely—

"and includes a person who has been in continuous possession of

(MR. SPEAKER.)

any land used for agricultural purposes in an inam by cultivating such land thereon himself on payment of rent to the inamdar for a period not less than twelve years prior to the date of vesting."'

'At the end of item (12), the following words shall be added, namely :—

"but where the inamdar is a temple, shall not include a pujari or archak of the temple who is enjoying any land comprised in the inam of such temple rendering service to or maintaining the temple and who does not pay rent as such in money or in kind to the temple in respect of such land."'

*ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ಅಧ್ಯಕ್ಷರೇ, ನಾನು ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಸೂಚಿಸುವುದಕ್ಕೆ ಮುಖ್ಯವಾದ ಕಾರಣದೇನೆಂದರೆ, ಈಗ ಇಲ್ಲಿ ಉಪಯೋಗಿಸಿರುವ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂಬ ಪದದ ವ್ಯಾಪಕತೆ ಬಹಳ ಕಡಮೆಯಾಗಿದೆ. ಇಲ್ಲಿ ಹೇಳಿರುವ ಪ್ರಕಾರ ಲ್ಯಾಂಡ್ ರೆವಿನ್ಯೂ ಕೋಡಿನ 79ನೆಯ ವಿಧಿಯ ಪ್ರಕಾರ ಯಾರು ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂದು ಭಾವಿಸಲ್ಪಡಬಹುದೋ ಅಂಥ ರೈತನನ್ನೂ ಮತ್ತು ಇನಾಂದಾರನ ಜೊತೆಗೆ co-extensive ಆಗಿ ರೈತನಾಗಿ ಬಂದಿರುವವನನ್ನೂ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂದು ಭಾವಿಸಬಹುದು. ಈ ವಿವರಣೆಯನ್ನು ಒಪ್ಪಿಕೊಂಡರೆ ನಮಗೆ ತಿಳಿದಿರುವ ಹಾಗೆ ಲ್ಯಾಂಡ್ ರೆವಿನ್ಯೂ ಕೋಡಿನ 79ನೆಯ ಸೆಕ್ಷನ್ ಪ್ರಕಾರ Permanent Tenant ಎಂದು-ಸಾಧಿಸುವುದಕ್ಕೆ ಸಾಕಷ್ಟು ಕಾಗದ ಪತ್ರಗಳೂ ದಾಖಲಾತಿಗಳೂ ಇಲ್ಲದೆ Permanent Tenants ಆಗುವವರ ಸಂಖ್ಯೆ ಬಹಳ ಕಡಮೆಯಾಗುತ್ತದೆ. ಇನ್ನು ಎರಡನೆಯ ರೀತಿಯಲ್ಲಿ, ಇನಾಂದಾರನ ಜೊತೆಯಲ್ಲೇ ಗೇಣಿದಾರನಾಗಿ ಬಂದಿರತಕ್ಕವನು, ಅಂದರೆ ಮಧ್ಯೆ ಎಲ್ಲೂ ಹಕ್ಕು ಕಳೆದುಕೊಳ್ಳದೆ ಮೊದಲಿನಿಂದಲೂ ನಡೆದುಕೊಂಡು ಬಂದಿರುವವನು, ಅಂಥವರು ಇರುವುದೇ ಬಹಳ ವಿರಳ. ಕಾರಣವೇನೆಂದರೆ, ಮಧ್ಯೆ ಅನೇಕಸಲ ರೈತರನ್ನು ಬಿಡಿಸತಕ್ಕ ಸಂದರ್ಭಗಳು ಇರುವುದು ಎಲ್ಲರಿಗೂ ಗೊತ್ತು. ಮತ್ತು ಇನಾಂಗಳೂ ಒಬ್ಬರ ಕೈಯಿಂದ ಇನ್ನೊಬ್ಬರ ಕೈಗೆ ಹೋಗಿರುವ ಸಂದರ್ಭಗಳೂ ಇವೆ. ಆದ್ದರಿಂದ ನೀವು ಹೇಳುವಂಥ ಸಂದರ್ಭಗಳು ಇರುವುದು ಬಹಳ ವಿರಳ ಹಾಗೂ ಇರಲೇ ಲಾರದು ಎಂದು ಹೇಳಬಹುದು. ಆದ್ದರಿಂದ ನಿಜವಾಗಿಯೂ ರೈತರಲ್ಲಿ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂಬ ರೈತರ ಗುಂಪಿಗೆ ಭೂಮಿಯನ್ನು ಪಟ್ಟೆಹಾಕಿ ಕೊಡಬೇಕೆಂಬ ಇಚ್ಛೆ ತಮಗಿದ್ದರೆ ಇಲ್ಲಿ ಕೊಟ್ಟಿರುವ Permanent Tenant ಎಂಬ ಶಬ್ದದ ವ್ಯಾಪಕತೆಯನ್ನು ಹೆಚ್ಚಿಸಬೇಕಾಗುತ್ತದೆ. ಹಿಂದೆ ಸಭೆಯ ಮುಂದೆ ಬಂದಿದ್ದಂಥ ಮೂಲ ಮಸೂದೆಯಲ್ಲಿ ಸರಿಯಾಗಿ ಸೇರಿಸಲಾಗಿತ್ತು.

ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—ಅಲ್ಲಿಯೂ ಇರಲಿಲ್ಲ.

Sri S. GOPALA GOWDA.—I am telling that, in the original Bill, the definition of the permanent tenant is like this :—

"Permanent tenant means a person who either under section 79 of the Land Revenue Code or otherwise is entitled to a tenancy in respect of any land used for agricultural purpose, the duration of which is co-extensive with the duration of the tenure of the inamdar ; and includes a person who has been in continuous possession of any land used for agricultural purposes in an inam by cultivating such land thereon, etc. . ."

ನಾನು ಈಗ ಏನನ್ನು ಸೇರಿಸಬೇಕೆಂದು ಹೇಳುತ್ತಿದ್ದೇನೋ ಅದು ಮೂಲ ಮಸೂದೆಯಲ್ಲಿ ಇತ್ತು. ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯವರು ಅದನ್ನು ತೆಗೆದುಹಾಕಿದ್ದಾರೆ. ಇದರಿಂದಾಗಿ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಆಗಬಹುದಾದ ಬಹುಭಾಗದ ರೈತರಿಗೆ ಹಕ್ಕು ದೊರೆಯುವುದಿಲ್ಲ. ಒಂದು ವಾದವನ್ನು ತಾವು ಪ್ರತಿಪಾದನೆ ಮಾಡಬಹುದು— ಪರ್ಸನಲ್ ಇನಾಂ ಬಿಲ್ಲಿನಲ್ಲಿ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟಿಗೆ ಕೊಟ್ಟಿರತಕ್ಕ ಅರ್ಥ ವಿವರಣೆ ಇದೇ ರೀತಿಯಾಗಿದೆ, ಆದ್ದರಿಂದ ಅದೇ ರೀತಿಯ ಅರ್ಥ ವಿವರಣೆಯನ್ನು ಇಲ್ಲಿಯೂ ಇಟ್ಟುಕೊಳ್ಳಬೇಕಾಗುತ್ತದೆ ; ಇಲ್ಲದಿದ್ದರೆ *ultra vires* ಆಗಬಹುದು ಎಂದು. ಹಾಗೆ ಹೇಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಈ ಮಸೂದೆಯೇ ಬೇರೆ ಮತ್ತು ಈ ಮಸೂದೆಯಲ್ಲೂ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂಬ ಪದದ ಅರ್ಥವನ್ನು ವಿವರಿಸುವುದಕ್ಕೆ ಸಾಧ್ಯವಿರುವುದರಿಂದ ಕಾನ್ಸ್ಟಿಟ್ಯೂಷನ್ನಿಗೇ ಆಗಲಿ ಅಥವಾ ಇನ್ನಾವ ರೀತಿಯಲ್ಲೇ ಆಗಲಿ ತಪ್ಪಾಗಲಾರದೆಂದು ನನ್ನ ವಾದ. ಆದ್ದರಿಂದ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುವುದರಿಂದ ಬಹುಶಃ ಬಹುಜನ ರೈತರಿಗೆ ಅನುಕೂಲವಾಗುತ್ತದೆ. ಇಲ್ಲದಿದ್ದರೆ ಬಹುಜನ ರೈತರು ಇದರ ವ್ಯಾಪ್ತಿಯಿಂದ ಕೈಬಿಟ್ಟು ಹೋಗುತ್ತಾರೆ. ಆದ್ದರಿಂದ ಸರ್ಕಾರದವರು ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಒಪ್ಪಿಕೊಳ್ಳಬೇಕೆಂದು ನಾನು ವಿನಂತಿ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ.

Sri P. R. RAMAIYA (Basavangudi).—There is a doubt in my mind which I would request the Hon'ble Minister to clear. The amendment is :

"but, where the inamdar is a temple, shall not include a pujari or archak of the temple who is enjoying any land comprised in the inam of such temple rendering service to or maintaining the temple and who does not pay rent as such in money or in kind to the temple in respect of such land."

Let us suppose a case, let us take the example of a temple. The person is an archak or pujari by profession, but by occupation he is also an agriculturist ;

* Indicates that the speech has not been revised by the Member concerned.

he is tilling the land and he is rendering service to the temple. He cannot be paying anything in kind or money but whatever the *puja* or the *archane* he may be doing he is doing it without getting any remuneration; he is simply cultivating the land and he is enjoying the benefits. But in addition, whatever he gets, he takes for himself and also he does the *pooja* or *archane* to the God. In the case of such a person, why do you penalise him, because he does not pay the rent either in money or in kind. . . .

Mr. SPEAKER.—Sri Ramaiya, you are not asking for clarification.

Sri P. R. RAMAIYA.—I want to know exactly. Is he not rendering service? Though he is not paying rent in money or kind, he is paying rent in terms of service in addition to tilling the soil. He enjoys part of the benefit by taking the produce for himself and also doing *pooja*. There is no other revenue to the temple. The *pujari* himself tills the land of the temple and he renders *puja* also. Therefore, in such cases why should you penalise him? In the case of an agriculturist who is not a *pujari*, simply because he tills the soil and gives some one or two pallas or whatever it may be, or it may be Rs. 5 or Rs. 10, you allow that person to enjoy the occupancy rights because he is a permanent tenant. But in the case of an *archak* or a *pujari* you ban him. The question may be, the property becomes his own and the temple is bereft of the services of of puja. In such cases you are also giving tasdik to such a temple. Therefore, what I say is, whatever the premium you may get from the permanent tenant, you get from the *archak* also and that money you credit to the temple. To me it is not clear on what grounds you are banning the *archak* or the *pujari* if he happens to be an agriculturist. Of course, he is not an agr culturist by occupation, but he also happens to be the tiller of the soil. On what ground you are going to exclude him fro the occupancy right?

Sri A. BHEEMAPPA NAIK (Molakalmuru).—With your permission, Sir, I would like to explain.

Mr. SPEAKER.—Let the Hon'ble Minister explain the position.

Sri Kadidal MANJAPPA.—As regards the amendment I have proposed, several Hon'ble Members have expressed their doubt whether the word "tenant" includes archaks also. They are of the view that the archaks who cultivate the land in their capacity as archaks and render service to the temple or maintain the temple should not get the benefit under this Bill. I have submitted yesterday, for a man to become a tenant, there should be definite relationship of landlord and tenant. An archak, if, in his capacity of an archak, cultivates the land, he will not become a tenant. Supposing a tenant is a cultivator and on account of cultivating the land renders service, then he becomes a tenant. Here the dominant role that he is playing is that of an archak; as archak he renders service to the temple and cultivates the land. There is no relationship of landlord and tenant.

Sri B. NARAYANASWAMY (Mysore City South).—What is the relationship between an archak and the landlord?

Sri Kadidal MANJAPPA.—If I am a Director of the Joint Stock Company and if the company is owning hundred acres, and if on behalf of the company I cultivate the land, I will not become a tenant. I will be cultivating for and on behalf of the company. Similarly, the archak is cultivating the land for and on behalf of the temple, perhaps as an agent.

Sri J. MOHAMED IMAM (Jagalur).—Who will take the return in the usual course is the doubt. You cited an example of the Director acting for and on behalf of the company; but the Director does not take the produce for himself and he hands it over to the company. In this case, the archak takes the produce for himself.

Sri Kadidal MANJAPPA.—Even there, the Director takes the produce and incurs the necessary expenditure and whatever is left is given credit to the accounts of the company. It may not be a correct analogy, but a rough analogy. In this case, there cannot be a relationship of landlord and tenant. Therefore the archak who merely

(SRI KADIDAL MANJAPPA.)

renders service and cultivates the land cannot be deemed as a tenant. Further, the scheme of this Bill is intended to secure certain rights to the tenants only and to abolish the inams.

Sri P. R. RAMAIYA.—Now an archak or a pujari will be cultivating the land, why don't you call him a tenant ?

Sri Kadidal MANJAPPA.—Unless the archak fulfils certain conditions, he cannot be called as tenant. Therefore, I have guardedly used certain words. If an archak is a tenant and pays rent either in cash or in kind, he will continue to be a tenant and he will get all the benefits under the Act. And if there is no relationship of landlord and tenant, he will be only an archak, he cannot get any other b enefits.

1-30 P.M.

Sri P. R. RAMAIYA.—How is it possible for any land to be cultivated unless he is the occupant or the tenant? Is he an agricultural labourer? Do you call the pujari or the archak merely as an agricultural labourer ?

Sri Kadidal MANJAPPA.—If Sri Ramaiya's nephew or brother cultivates his land, he cannot be called a tenant.

*ಶ್ರೀ ಎ. ಭೀಮಪ್ಪನಾಯಕ್.—ನನ್ನ ಅಭಿಪ್ರಾಯದಲ್ಲಿ ಕಂಡುಬರುವ ಹಾಗೆ, ಈಗ ದೇವಸ್ಥಾನದ ಭೂಮಿಯನ್ನು ಯಾರು ಸಾಗುವಳಿ ಮಾಡತಕ್ಕಂಥ ಅರ್ಚಕರು ಇದ್ದಾರೋ ಅಂಥವರನ್ನು ಇನ್ನು ಮುಂದಕ್ಕೆ ಇಲ್ಲದಂತೆ ಮಾಡಿ ಬಿಡುತ್ತಾರೇನೋ ಎನ್ನತಕ್ಕಂಥ ಒಂದು ಅನುಮಾನ ಶ್ರೀ ರಾಮಯ್ಯನವರಿಗೆ ಹೊಕ್ಕಿರುವಂತೆ ಕಂಡು ಬರುತ್ತಿದೆ. ಆದರೆ ಇದರ ಉದ್ದೇಶ ಹಾಗಿಲ್ಲ. ಇಲ್ಲಿಯವರೆಗೂ ಆ ದೇವರ ಜಮೀನುಗಳನ್ನು ಯಾವ ಯಾವ ಅರ್ಚಕರು ಉಳುಮೆ ಮಾಡಿಕೊಂಡು ಬರುತ್ತಿದ್ದರೋ ಅಂಥವರಿಗೆ ಇನ್ನು ಮುಂದಕ್ಕೆ ತಸ್ದೀಕ್ ಕೊಟ್ಟರೆ ಅದರಿಂದ ಆತನಿಗೇನೂ ಸಾಕಾಗುವುದಿಲ್ಲ. ಆ ಪೂಜಾರಿಯು ದೇವರ ಪೂಜೆಯನ್ನು ಬಿಟ್ಟು ಹೊರಟು ಹೋಗುತ್ತಾನೆ. ಏತಕ್ಕೆಂದರೆ ಆತನಿಗೆ ಒಂದುವೇಳೆ ತಸ್ದೀಕ್ ಮೊಬಲಗು ಮೂರು ರೂಪಾಯಿಗಳನ್ನು ಕೊಡುತ್ತಾ ಹೋದರೆ ಆಗ ಯಾರೂ ದೇವರ ಪೂಜೆಯ ಕೆಲಸಕ್ಕೆ ಬರುವುದಿಲ್ಲ. ಅದಕ್ಕೆ ಬದಲಾಗಿ ಆತನಿಗೆ ಜಮೀನನ್ನೇ ಕೊಟ್ಟರೆ ಆತನಿಗೆ ಹೆಚ್ಚಿನ ಆದಾಯ ಬರುತ್ತದೆಯೆಂದು ಈ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿದ್ದಾರೆ. ಇಲ್ಲಿಯ ತನಕ ಯಾರಿಗೆ ಆ ದೇವಸ್ಥಾನದ ಜಮೀನುಗಳನ್ನು ದೇವರ ಪೂಜೆಗೋಸ್ಕರವಾಗಿ ವ್ಯವಸಾಯ ಮಾಡಿಕೊಂಡು ಹೋಗಲು ಕೊಡಲಾಗಿದ್ದಿತೋ ಅಂಥವರಿಗೆ ಈ ದಿವಸ ಆ ಜಮೀನನ್ನು ಬಿಡಿಸಿಕೊಂಡು, ನಿಮಗೆ ದುಡ್ಡು ಕೊಡುತ್ತೇವೆ, ನೀವು ದೇವರ ಪೂಜೆಯನ್ನು ನಡೆಸಿಕೊಂಡು ಹೋಗಿ ಎಂದರೆ ಯಾರೂ ಈ ಕೆಲಸಕ್ಕೆ ಬರುವುದಿಲ್ಲ. ಅಲ್ಲದೆ ಯಾರು ಯಾರು ಇಲ್ಲಿಯವರೆಗೆ ಈ ಜಮೀನುಗಳನ್ನು ಆ ಪೂಜಾರಿಯು ಕೆಲಸಕ್ಕೋಸ್ಕರವಾಗಿ ಉಳುಮೆ ಮಾಡಿಕೊಂಡು ಬಂದಿದ್ದಾರೋ ಅಂಥವರನ್ನು ಅವರು ಬಹಳ ಕಾಲದಿಂದಲೂ ಹೀಗೆ ಮಾಡಿಕೊಂಡು ಬಂದಿದ್ದಾಗ್ಯೂ ಅವರನ್ನು ಗುತ್ತಿಗೆದಾರರೆಂದು ಕರೆಯುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಅಂಥವರು ಆ ಜಮೀನಿನ 20 ರಷ್ಟು ಕಂದಾಯವನ್ನು ಕೊಟ್ಟು ಆ ಜಮೀನನ್ನು ಬೇಕಾಗಿದ್ದರೆ ಕೊಂಡುಕೊಳ್ಳಬಹುದೆಂದು ತಿಳಿಸುವುದಕ್ಕಾಗಿ ಈಗ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ತರಲಾಗಿದೆ. ಈ ಸಂಬಂಧದಲ್ಲಿ ಸುಮಾರು 10-11 ಸಾವಿರ ದೇವಸ್ಥಾನಗಳ ಹೆಸರಿನಲ್ಲಿರುವ ಜಮೀನುಗಳನ್ನು ಆಯಾ ದೇವಸ್ಥಾನದ ಪೂಜಾರಿಗಳಿಗೆ ಕೊಟ್ಟಿದ್ದಾರೆ; ಆದರೂ ಆ ಜಮೀನು ಈಗ್ಯೂ ಆ ದೇವರ ಹೆಸರಿನಲ್ಲಿ ಇರುತ್ತದೆ. ಹಾಗಿದ್ದರೂ ಆ ಅರ್ಚಕರು ಅವುಗಳನ್ನು ಸಾಗುವಳಿ ಮಾಡಿಕೊಂಡು ಅವುಗಳಿಂದ ಬರತಕ್ಕ usufruct rightನ್ನು ಅನುಭವಿಸುತ್ತಿದ್ದಾರೆ. ಆದರೆ ಇನ್ನು ಮುಂದಕ್ಕೆ ಅವರಿಗೆ ತಸ್ದೀಕನ್ನು ಕೊಟ್ಟರೆ ಈ ಆದಾಯ ಮಾತ್ರ ಪೂಜಾರಿಯಾಗಿರುವ ತನಕ ಆತನಿಗೆ ಸಲ್ಲುತ್ತದೆ. ಹೀಗೆ ಅಲ್ಲದೆ ಮತ್ತೆ ಯಾರಾದರೊಬ್ಬರು ಆ ದೇವಸ್ಥಾನದ ಜಮೀನುಗಳನ್ನು ದುಡ್ಡು ಕೊಟ್ಟು ಗುತ್ತಿಗೆಗೆ ಪಡೆದುಕೊಂಡಿದ್ದರೆ ಅ ಜಮೀನು ಆತನಿಗೇ ಹೋಗುತ್ತದೆ. ಆದರೆ ಈಗ ಇವುಗಳನ್ನು ಒಂದು ಸರ್ವೀಸ್ ಇನಾಂ ಇದ್ದ ಹಾಗೆ ಮಾಡಿದರೆ ಆ ಜಮೀನಿನಿಂದ ಬರತಕ್ಕಂಥ ಬೆಳೆಯನ್ನು ಆ ಸರ್ವಿಸ್ ನಡೆಸುವ ತನಕ ಆತನು ಅನುಭವಿಸಬಹುದು. ಆಗ ಆ ಜಮೀನು ದೇವರ ಹೆಸರಿನಲ್ಲೇ ಇರುತ್ತದೆ. ಇಂಥ ದೇವರ ಜಮೀನುಗಳಿಗೆ ಯಾವ ಬೆಲೆಯನ್ನೂ ಕಟ್ಟಬೇಕಾಗಿಲ್ಲ. ಮತ್ತೆ ಅರ್ಚಕರಿಗೆ ಯಾವ ತಸ್ದೀಕ್ ಮೊಬಲಗನ್ನೂ ಕೊಡುವುದಿಲ್ಲ. ಹೀಗೆ ಮಾಡಿದರೆ ಆ ಹನ್ನೊಂದು ಸಾವಿರ ದೇವರುಗಳ ಜಮೀನೂ ಸಹ ಆ ದೇವರುಗಳಿಗೇ ಉಳಿಯುತ್ತದೆ. ಆದರೆ ಇನ್ನು ಕೆಲವು ದೇವಸ್ಥಾನಗಳ ಬಗ್ಗೆ ಅಂದರೆ ಯಾವವಕ್ಕೆ ಜಮೀನಿಲ್ಲವೋ ಅಂಥವುಗಳಿಗೆ ಇನ್ನು ಮುಂದೆ ತಸ್ದೀಕನ್ನು ಕೊಡಲಾಗುತ್ತದೆ. ಈ ರೀತಿಯಾಗಿ ಈ ಆಕ್ಟ್ ಪ್ರಕಾರ ಇನ್ನು ಮುಂದೆ ನಡೆಸಬಹುದು. ಈ ಅಮೆಂಡ್‌ಮೆಂಟ್ ಹಿಂದೆಯೂ ಇತ್ತು. ಆದರೆ ಅದನ್ನು ತಿದ್ದುಪಡಿಮಾಡಿ ತಂದಿರಲಿಲ್ಲ. ನಾನು ನಿನ್ನೆಯ ದಿವಸವೇ ಹೇಳಿದಂತೆ ಹೀಗೆ ಒಂದು ತಿದ್ದುಪಡಿಯನ್ನು ಅಂಗೀಕರಿಸುವುದರಿಂದ— ಆ ಹನುಮಂತರಾಯ ಮತ್ತು ಮಾರಮ್ಮ ಈ ದೇವರುಗಳು ಯಾರೂ ಕೋರ್ಟಿಗೆ ಹೋಗಬೇಕಾದಂಥ ಪ್ರಸಂಗ ಬರುವುದಿಲ್ಲ. ಇದರಿಂದ ಪೂಜಾರಿ ಪೂಜಾರಿಯಾಗಿಯೇ ಉಳಿಯುತ್ತಾನೆ—ದೇವರು ದೇವರಾಗಿಯೇ ಉಳಿಯುತ್ತದೆ. ಇದರಿಂದ ಅಂಥ ತೊಂದರೆಯೇನೂ ಆಗಲಾರದು ಎಂದು ಹೇಳುತ್ತೇನೆ.

*Sri S. SRINIVASA IYENGAR (T.-Narasipur).—I want a clarification. The Bill intends to abolish the inam as such. There is no exemption. Suppose in an inam—by 'inam' I mean a religious or a charitable institution—the pujari or the archak comes under the definition as my friend Sri Bheemappa Naik explains, there is no exemption to the temple. The inam gets automatically cancelled. Who should be called a permanent tenant

and who should not be – that is what the definition in Clause 2 relates to. My trouble or difficulty is this. I want this information. There are a number of institutions where certain people have undertaken to serve the temple by tilling the lands given to that temple by various kings and other people in endowment and those lands have been partitioned by their successors and those people have not entered into a written contract or oral contract between the inamdar (being an institution) and themselves. What they do is, they are serving in the temple, tilling the land, and subsisting by the produce of such agricultural activity. I want to know whether this amendment aims to deprive those people of the land.

Sri Kadidal MANJAPPA.—If the class of people which the Hon'ble Member was referring to just now are archaks and if they are cultivating the land, they will continue to be archaks and they will continue to cultivate the land. Hitherto the land is in the name of the temple. The temple is the inamdar. Hereafter, the temple will be the occupant of the land. The land will be registered in the name of the temple after the abolition of the inam tenure.

Sri M. LINGANNA (Nanjangud).—In some of the institutions which have inam lands, the archaks themselves are cultivators and now-a-days, as even the Hon'ble Minister is aware, a particular portion of the produce of the land is funded towards the reserve fund. But here as per this particular addition to the last item of Clause 2, I do not know whether the archak is compelled to contribute towards that reserve fund for the maintenance of the temple itself. Also, the word 'enjoying' may not be so happy because, all along by the explanation which the Minister was offering to this House, he would have been a person who was actually cultivating and tilling the land comprised in the inam. Such being the case, instead of the word 'enjoying' I think if we substitute the word 'tilling', then the meaning will be clear in the subsequent interpretation of the word 'enjoying'. For example, I may be the archak of the particular temple, I may be legally enjoying the land and thereby I may have leased the inam land to some other person, still I am enjoying the land as an archak. To remove that ambiguity, instead of the word 'enjoying' the word 'tilling' may be substituted. "... who is tilling any land comprised in the inam of such temple. . . ."

Also I want to know whether the contribution towards the reserve fund is precluded by the inclusion of this particular proviso at the end of item (12). I want this information so far as the addition of this clause is concerned.

Sri Kadidal MANJAPPA.—An archak cultivating the land and rendering service to the temple contributes out of the produce from the land some amount of the money towards the reserve fund. His liability will not cease on account of this provision, with the amendment that I have proposed. I have guardedly used the words 'rent as such'. A person who pays rent either in cash or in kind will be deemed as a tenant and in other cases he will not be called a tenant.

Sri M. LINGANNA.—Can you impose such restriction on contributions towards the reserve fund?

Sri Kadidal MANJAPPA.—That is in accordance with the Muzrai Act: that has nothing to do with this. I am quite clear about it.

As regards your suggestion that the actual tiller of the land may be given this benefit, the suggestion is not clear so far as I am concerned. Anyhow, the intention of the several Hon'ble members of this House is that the lands which are being enjoyed by the archaks should be excluded from the purview of this Bill.

Sri A. BHEEMAPPA NAIK.—The word 'enjoying' is happily put because in a case where the archak is performing the duties of a pujari, his brother or somebody else might be doing it, but the benefit goes to the archak. Even in that case, he will continue as archak and the benefit goes to him even in other cases. The temple will get the registry of the land. . . .

Sri M. LINGANNA.—This becomes a discriminatory legislation then.

Sri A. BHEEMAPPA NAIK.—In respect of all the inamthies, where they are performing the duties, this kind of thing is allowed.

ಶ್ರೀ ಬಿ. ರಾಚಯ್ಯ (ಎಳಂದೂರು—ಅನುಸೂಚಿತ ಜಾತಿಗಳು).—ಈ ಇನಾಂತಿ ರದ್ದಾದ ಮೇಲೆ ಯಾವ ಯಾವ ಜಮೀನಿನ ಎಕ್ಸ್‌ಟೆಂಟ್ ಅದು ಎಷ್ಟಿದ್ದರೂ ಆಗಬಹುದೋ?

ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—ತಾವು ಈ ಲಿಮಿಟೇಷನ್ನನ್ನು ಈ ಧಾರ್ಮಿಕ ಸಂಸ್ಥೆಗಳಿಗೂ ಅನ್ವಯಿಸುವ ಹಾಗೆ ಆಗಬೇಕೆಂದು ಮಾಡಿದರೆ, ಆಗ ಆ ಕಾನೂನು ಪ್ರಕಾರ ಇದನ್ನು ಲಿಮಿಟೇಷನ್ ಮಾಡುವುದಕ್ಕೆ ಸಾಧ್ಯವಾಗುತ್ತದೆ.

ಶ್ರೀ ಬಿ. ರಾಚಯ್ಯ.—ಈಗ ತಾವು ಅರ್ಚಕ, ಪೂಜಾರಿ ಎಂಬತಕ್ಕಂಥ ಪದಗಳನ್ನು ಮಾತ್ರ ಉಪಯೋಗ ಮಾಡಿದ್ದೀರಿ. ಆದರೆ ಮತ್ತೆ ಕೆಲವು ಸಂಸ್ಥೆಗಳಿಗೆ ಈ ಪದಗಳು ಅನ್ವಯವಾಗುವುದಿಲ್ಲ. ಆದುದರಿಂದ ಅವುಗಳಿಗೂ ಸಹ ಅನ್ವಯವಾಗತಕ್ಕಂಥ ಪದಗಳನ್ನು ಇದರಲ್ಲಿ ಅಡಕಮಾಡುತ್ತೀರಾ?

Sri Kadidal MANJAPPA.—There is a suggestion now that a different word should be inserted. Let us consider this. As regards the amendment proposed by my friend Sri Gopala Gowda, I must say a few words. The definition which he now proposes was my creation. That was inserted in the original Personal and Miscellaneous Inams Abolition Bill and it was also inserted in the original Religious and Charitable Inams Abolition Bill. In the eye of law, some words have gained a definite meaning. The words "permanent tenant" have gained a certain meaning according to the law now in force under the Land Revenue Code, under the Transfer of Property Act and other enactments. Permanent tenant is considered as a tenant whose duration of tenure is co-extensive with the tenure of the owner. The definition was discussed in the Joint Select Committee. Some of the Hon'ble Members felt that was an artificial definition which is not recognised by any enactment. Therefore, several members suggested that we should not have an artificial definition. Secondly, the tenants whom my Hon'ble friend wants to help, will come under clause 6. They will get the benefit under clause 6 and clause 27. They can either cultivate the land under Government and acquire permanent and heritable rights or they can acquire proprietory right over the land by paying the consideration as contemplated in section 27. Therefore, I submit that there is no need for this enlarged definition which is very artificial. If this definition is inserted now, the whole scheme of the Bill will have to be changed. The definition will compel us to make other changes which are numerous. Therefore, I appeal to my friend to withdraw his amendment.

Mr. SPEAKER.—I want to know whether any Hon'ble Member wishes to speak on Clause 2.

Sri K. PATTABHIRAMAN (Kolar).—I want to make a suggestion.

Mr. SPEAKER.—Both on the amendment and the clause.

Sri K. PATTABHIRAMAN.—Yes, Sir. Consideration of the clause may kindly be postponed till after the lunch hour, and we proceed with other clauses. I feel that there are certain other amendments necessary in the amendment proposed. I am at it. In order to collect my thoughts and put it clearly, this clause may kindly be taken up after lunch.

Mr. SPEAKER.—I have no objection. Clause 3 may be taken up now. There is an amendment by Sri T. C. Basappa.

Sri T. C. BASAPPA (Tarikere).—I do not propose to move the amendment, Sir.

Mr. SPEAKER.—There are no other amendments to this clause. The question is:

"That Clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Mr. SPEAKER.—Clause 4.

Sri S. R. NAGAPPASETTY (Shimoga).—I do not propose to move the amendment, Sir.

Mr. SPEAKER.—The question is:

"That Clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Mr. SPEAKER.—Clause 5.

Sri S. R. NAGAPPA SETTY.—I do not propose to move my amendment, Sir.

Mr. SPEAKER.—The question is:

"That Clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Mr. SPEAKER.—Clause 6.

Sri Kadidal MANJAPPA.—Perhaps the same difficulty exists as was felt by Sri Pattabhiraman. He is not here.

Sri M. LINGANNA.—This clause may be taken up along with clause 2.

Mr. SPEAKER.—All right. Clause 7.

Sri T. C. BASAPPA.—I do not move the amendment, Sir.

Mr. SPEAKER.—The question is:

"That Clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

Mr. SPEAKER.— Clause 8.

Sri T. C. BASAPPA.—I do not move the amendment, Sir.

Mr. SPEAKER.—The question is:

"That Clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Mr. SPEAKER.—Clauses 9 to 14. There are no amendments. The question is:

"That Clauses 9 to 14 stand part of the Bill"

The motion was adopted.

Clauses 9 to 14 were added to the Bill.

Mr. SPEAKER.—Clauses 15 and 16. Amendments have to be moved by Sri Bheemappa Naik and Sri H. M. Channabasappa.

Sri A. BHEEMAPPA NAIK.—Amendments to all the clauses that I have proposed, I do not propose to move, Sir.

Sri H. M. CHANNABASAPPA (Periyapatna).—I do not propose to move all the amendments standing in my name, Sir.

Mr. SPEAKER.—There are no other amendments to clauses 15 and 16. The question is:

"That Clauses 15 and 16 stand part of the Bill"

The motion was adopted.

Clauses 15 and 16 were added to the Bill.

Mr. SPEAKER.—Clauses 17 and 18. Sri Mulka Govinda Reddy has an amendment to clause 17. But he is not here. There are no amendments to clause 18. The question is:

"That Clauses 17 and 18 stand part of the Bill".

The motion was adopted.

Clauses 17 and 18 were added to the Bill.

Mr. SPEAKER.—Clause 19.

Sri S. R. NAGAPPA SETTY.—I do not move my amendment, Sir.

Mr. SPEAKER.—Clauses 20, 21 and 22 also have no amendments. The question is:

"That Clauses 19 to 22 stand part of the Bill".

The motion was adopted.

Clauses 19 to 22 were added to the Bill.

Mr. SPEAKER.—Clause 23.

ಶ್ರೀ ಎಚ್. ಹುಚ್ಚಮಾಸ್ತಿಗೌಡ (ಹುಲಿಯೂರು ದುರ್ಗ).—ಸ್ವಾಮಿ, ನನ್ನ ತಿದ್ದುಪಡಿ ಈ ರೀತಿ ಇದೆ, ಇದನ್ನು ಮಂಡಿಸುತ್ತೇನೆ :

'For the existing proviso, the following proviso shall be substituted, namely :—

"Provided that such rent shall in no case exceed the maximum rent fixed under the Mysore Tenancy Act, 1952."'

ಈ ತಿದ್ದುಪಡಿಯ ಉದ್ದೇಶವಿಷ್ಟೆ : ನಾವು ಅಂಗೀಕಾರ ಮಾಡಿರುವ 1952 ನೆಯ ಇಸವಿಯ ಟೆನೆನ್ಸಿ ಆಕ್ಟಿನಲ್ಲಿ ನಿರ್ದಿಷ್ಟವಾಗಿ ಈ ಒಂದು ಅರ್ಥವಿವರಣೆ ಇರುವುದರಿಂದ, ಇದರಲ್ಲಿರುವ ಅರ್ಥವಿವರಣೆಗೂ ಅದರಲ್ಲಿರುವುದಕ್ಕೂ ಯಾವ ವ್ಯತ್ಯಾಸವೂ ಇರಬಾರದು. ವ್ಯತ್ಯಾಸವಾದರೆ ಅದು discriminatory legislation ಆಗಬಹುದೆಂದು ಅದರಲ್ಲಿರುವಂತೆಯೇ ಇದರಲ್ಲಿಯೂ ಸೇರಿಸಬೇಕೆಂದು ಈ ತಿದ್ದುಪಡಿಯಲ್ಲಿ ಸೂಚಿಸಿದ್ದೇನೆ. ಇದನ್ನು ಸಭೆ ಒಪ್ಪಿಕೊಳ್ಳಬೇಕೆಂದು ಪ್ರಾರ್ಥನೆ.

Mr. SPEAKER.—Amendment moved :

'For the existing proviso, the following proviso shall be substituted, namely :—

"Provided that such rent shall in no case exceed the maximum rent fixed under the Mysore Tenancy Act, 1952."'

Sri Gopala Gowda has got one amendment.

*ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—23ನೆಯ ಕ್ಲಾಜಿಗೆ ನಾನು ಸೂಚಿಸಿರುವ ತಿದ್ದುಪಡಿ ಬಹಳ ಸಣ್ಣ ತಿದ್ದುಪಡಿಯಾಗಿದೆ :

'In the proviso, for the words, "one-half", the words "one-sixth" shall be substituted.'

ಈಗ ಈ ಮಸೂದೆಯಲ್ಲಿರುವ ಪ್ರಕಾರ ಈ ರೀತಿ ಇದೆ :

"Every tenant shall pay to the Government the rent which was being paid by him to the Inamdar immediately before the date of vesting :

Provided that such rent shall in no case exceed one-half of the main crop raised on the land in respect of which he is continued as the tenant.'

ಅರ್ಧ ಎನ್ನುವುದಕ್ಕೆ ಬದಲು ಆರನೆಯ ಒಂದು ಭಾಗ ಎಂದು ತಿದ್ದುಪಡಿಯನ್ನು ಸೂಚಿಸಿದ್ದೇನೆ.

ಈ ಸಂದರ್ಭದಲ್ಲಿ ಸರ್ಕಾರದವರೇ ಜಮೀನ್ದಾರಿಯನ್ನು ವಹಿಸಿಕೊಂಡು ಜಮೀನು ಮಾಲೀಕರಾಗಿ ಗೇಣಿ ಆಳಿಸಿಕೊಳ್ಳುವುದಕ್ಕೆ ಪ್ರಾರಂಭಮಾಡುತ್ತಿರುವುದರಿಂದ, ಸರ್ಕಾರ ಇತರ ಜಮೀನ್ದಾರರಿಗೆ ಮಾದರಿಯಾಗಿರಬೇಕೆಂಬ ಕಾರಣದಿಂದ ಕೂಡ ಈ ತಿದ್ದುಪಡಿ ಸೂಕ್ತವಾಗಿದೆ. ಈಗ ಬೊಂಬಾಯಿ ಪ್ರಾಂತದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಗೇಣಿಕಾನೂನಿನ ಪ್ರಕಾರ ಆರನೆಯ ಒಂದು ಅಂಶ ಮಾತ್ರ ಗೇಣಿ ರೂಪದಲ್ಲಿ ರೈತರಿಂದ ಸಲ್ಲುತ್ತಿದೆ. ಇಲ್ಲಿ ನಮ್ಮ ಉದ್ದೇಶವಾದರೂ ಇಷ್ಟೆ: ಈಗಿರತಕ್ಕ ಟೆನೆಂಟ್ಸ್ ಅಟ್‌ವಿಲ್ ಮತ್ತು ಇತರ ಗೇಣಿದಾರರು ಕೂಡಲೇ ಪ್ರೀಮಿಯಮ್ ಕೊಟ್ಟು ಜಮೀನನ್ನು ಕೊಂಡುಕೊಳ್ಳುವುದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲದಿದ್ದರೆ ಅವರು ಗೇಣಿಯನ್ನು ಕೊಟ್ಟುಕೊಂಡು ಜಮೀನು ಕಂದಾಯ ಕೊಟ್ಟುಕೊಂಡು ಮುಂದುವರಿಯಲೆಂಬುದು ಈ ಮಸೂದೆಯ ಉದ್ದೇಶವಾಗಿದೆ. ಆದರೆ ಇನಾಮ್‌ದಾರನಿಗೆ ಈ ರೈತ ಕೊಡುತ್ತಿರುವುದರ ಅರ್ಧಕ್ಕೆ ಮೀರದಷ್ಟು ಗೇಣಿಯನ್ನು ಸರ್ಕಾರಕ್ಕೆ ಕೊಡಬೇಕೆಂದು ಈ ಮಸೂದೆಯಲ್ಲಿ ಆಶಿಸುತ್ತಾರೆ. ಸರ್ಕಾರ ಈ ರೀತಿ ಇಷ್ಟು ಗೇಣಿಯನ್ನು ಕೇಳುವುದು ಸೂಕ್ತವಲ್ಲ. ಏಕೆಂದರೆ, ನಾವು ಗೇಣಿ ಕಾನೂನನ್ನು ಕೂಡ ಈಗ ತಿದ್ದುಪಡಿಮಾಡುವವರಾಗಿದ್ದೇವೆ. ಆರನೆಯ ಒಂದಂಶವನ್ನು ಮಾಡುವುದು ಒಳ್ಳೆಯದೆಂಬ ಭಾವನೆಯನ್ನು ನಾನು ಇಟ್ಟುಕೊಂಡಿದ್ದೇನೆ. ಆದುದರಿಂದ ಈ ಸಂದರ್ಭದಲ್ಲಿ, ಅರ್ಧಕ್ಕೆ ಮೀರದಷ್ಟು ಎಂಬುದನ್ನು ಆರನೆಯ ಒಂದು ಭಾಗಕ್ಕೆ ಮೀರದಷ್ಟು ಎಂದು ಮಾಡುವುದರಿಂದ ಬೇರೆ ಯಾರಿಗೂ ನಷ್ಟವಾಗುವುದಿಲ್ಲ. ರೈತ ಸರ್ಕಾರಕ್ಕೆ ಕಂದಾಯ ಕೊಡುತ್ತಾನೆ; ಜೊತೆಗೆ ಅವನು ಬೆಳೆದದ್ದರಲ್ಲಿ ಆರನೆಯ ಒಂದು ಭಾಗವನ್ನು ಕೊಡುತ್ತಾನೆ. ಆ ಭೂಮಿಗೆ ಕೊಡಬೇಕಾದ ಪ್ರಿಮಿಯಂ ಮೊಬಲಗನ್ನು ಕೊಟ್ಟು ಅದನ್ನು ಸ್ವಂತ ಮಾಡಿಕೊಳ್ಳುವ ಸಂದರ್ಭ ಎಲ್ಲಿಯವರೆಗಿಲ್ಲವೋ ಅಲ್ಲಿಯವರೆಗೂ ಆರನೆಯ ಒಂದು ಭಾಗದಷ್ಟು ಗೇಣಿಯನ್ನು ಕೊಡುವುದಕ್ಕೆ ಅನುಕೂಲವಾಗುವಂತಾಗಲೆಂಬ ಸದುದ್ದೇಶದಿಂದ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಸೂಚಿಸಿದ್ದೇನೆ. ಆದುದರಿಂದ ಮಾನ್ಯಸದಸ್ಯರೂ ಇದನ್ನು ಒತ್ತಾಯಮಾಡುತ್ತಾರೆಂದು ನಂಬಿದ್ದೇವೆ. ಆದಕಾರಣ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಸಭೆ ಒಪ್ಪಿಕೊಳ್ಳಬೇಕೆಂದು ಕೋರಿ ತಿದ್ದುಪಡಿಯನ್ನು ಸಭೆಯ ಮುಂದಿಡುತ್ತೇನೆ.

Mr. SPEAKER.—Amendment moved :

'In the proviso, for the words, "one-half" the words "one-sixth" shall be substituted'.

*ಶ್ರೀ ಎ. ಭೀಮಪ್ಪನಾಯಕ್.—ಶ್ರೀಮಾನ್ ಗೋಪಾಲಗೌಡರ ಸಲಹೆಯ ವಿಚಾರದಲ್ಲಿ ಸಹಾನುಭೂತಿ ಇದ್ದರೂ ಈಗಿನ ಪರಿಸ್ಥಿತಿಯಲ್ಲಿ ಅವರ ತಿದ್ದುಪಡಿಯನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲವೆಂದು ವಿಷಾದದಿಂದ ಹೇಳಬೇಕಾಗಿದೆ. ಅದಕ್ಕೆ ಕಾರಣವಿಷ್ಟೆ: ಹಿಂದೆ ಟೆನೆನ್ಸಿ ಮಸೂದೆ ಬಂದಾಗ ಆರನೆಯ ಒಂದು ಭಾಗ ಗೇಣಿ ಇರಬೇಕೆಂದು ಒತ್ತಾಯ ಮಾಡಿದರು. ಆದರೆ ಅರ್ಧ ಭಾಗಕ್ಕಿಂತ ಜಾಸ್ತಿ ಇರಬಾರದೆಂದು ಒಪ್ಪಿಕೊಂಡೆವು. ಹಿಂದಿನ ಮಸೂದೆಯಲ್ಲಿ ಯಾವ ರೀತಿ ಆಗಿದೆಯೋ ಅದರಂತೆಯೇ ಇಲ್ಲಿಯೂ ಮಾಡಬೇಕು. ಹೀಗೆ ಮಾಡದಿದ್ದರೆ discriminatory ಆಗುತ್ತದೆ.

ಎರಡನೆಯದಾಗಿ 'ತಸ್ದಿಕ್' ಅಲೋಯನ್ಸ್ ರೂಪದಲ್ಲಿ ಸರ್ಕಾರದಿಂದ ಹಣ ಕೊಡಬೇಕಾಗುತ್ತದೆ. ರೈತನಿಂದ ಬಂದ ಆದಾಯ ಏನಿದೆಯೋ ಅದನ್ನು ನಿರ್ಧಾರಮಾಡಿ ಪುನಃ ದೇವಸ್ಥಾನದ ಖರ್ಚಿಗೆ ಕೊಡುತ್ತಾರೆ. ಆತನು ಜಮೀನನ್ನು ಕೊಂಡುಕೊಳ್ಳುವವರೆಗೆ ಸರ್ಕಾರದವರು 'ಟ್ರಸ್ಟಿ' ಯಾಗಿ ಕೆಲಸ ಮಾಡುತ್ತಾರೆ. ಹತ್ತು ವರ್ಷ ಕಾಲ ಅವಕಾಶವಿದೆ, ಬೆಳೆ ನಿರ್ಧಾರವಾಗುತ್ತದೆ, ಅದರಂತೆ ಕೊಟ್ಟರೆ ರೈತನಿಗೆ ತೊಂದರೆ ಬರುವುದಿಲ್ಲ. ಅರ್ಧ ಕೊಡುವುದು ಜಾಸ್ತಿಯಾದರೆ, ಆತನು ಜಮೀನನ್ನು ಕೊಂಡುಕೊಳ್ಳಬಹುದು. ಟೆನೆಂಟ್ಸ್ ಅಟ್‌ವಿಲ್ ವಿಚಾರ ರೆವಿನ್ಯೂ ಮಂತ್ರಿಗಳ ತಿದ್ದುಪಡಿಯಲ್ಲಿ ಬಂದಿದೆ.

2 P.M.

ಹೀಗಿರುವಾಗ ನನ್ನ ಅಭಿಪ್ರಾಯದಲ್ಲಿ ಈಗ ಶ್ರೀಮಾನ್ ಎಸ್. ಗೋಪಾಲಗೌಡರು ತಮ್ಮ ತಿದ್ದುಪಡಿಯನ್ನು ಒತ್ತಾಯಮಾಡುವುದಕ್ಕೆ ಬದಲಾಗಿ Personal ಮತ್ತು Miscellaneous Inams Abolition Bill ಅಧ್ಯಕ್ಷರಿಂದ ಅಂಗೀಕಾರವಾಗಿ ಬಂದ ಮೇಲೆ ಇನ್ನೊಂದು ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಾಗ ಇದನ್ನು ಯೋಚನೆಮಾಡುವುದು ಒಳ್ಳೆಯದು. ಈಗ ಸದ್ಯಕ್ಕೆ

ಬೇಡ. ಬೊಂಬಾಯಿಯಲ್ಲಿ ಈ ರೀತಿ ಇರಬಹುದು. ಇನ್ನೂ ಅನೇಕ ಕಡೆಗಳಲ್ಲಿ ಅನೇಕ ತರಹ ಇರಬಹುದು. ಆದರೆ ನಾವು ಇನ್ನೂ ಅದನ್ನು ಒಪ್ಪಿಕೊಂಡಿಲ್ಲ. ಈಗ ಜಾರಿಯಲ್ಲಿರತಕ್ಕಂಥ ಪದ್ಧತಿ ಏನಿದೆಯೋ ಅದನ್ನು ಮಾತ್ರ ಉಳಿಸಿಕೊಂಡು ಬರುತ್ತೇವೆ. ಇನ್ನೂ ಹೊಸದಾಗಿ fix ಮಾಡಿಲ್ಲ. ಇದನ್ನು ವಿಧಿಯಿಲ್ಲದೆ ವಿರೋಧಿಸಬೇಕಾಗಿದೆ.

*Sri S. SRINIVASA IYENGAR.—By accepting the amendment of Sri N. Huchmasthy Gowda to clause 23, I believe, Sir, we will be worsening the position. Under the same clause in the Bill as reported by the Joint Select Committee, the proviso says that such rent shall in no case exceed one half of the main crop raised on the land. The amendment introduced by Sri Huchmasthy Gowda limits the scope of the Mysore Tenancy Act of 1952. Under the Tenancy Act of 1952, the maximum rent is limited to not to exceed one half of the crop or crops raised. But under the Bill as reported by the Select Committee, the maximum rent has been fixed in relation to the main crop. So, by accepting the amendment of Sri Huchmasthy Gowda we will be limiting the scope to Mysore Tenancy Act of 1952 which will not extend to subsequent amendments. I therefore propose that the amendment moved by Sri Huchmasthy Gowda must be amended a little so as to take into account subsequent amendments to the Tenancy Law. So, it may be amended as follows :—

> "Provided that such rent shall in no case exceed the maximum rent fixed under the Mysore Tenancy Law of the State."

Sri Kadidal MANJAPPA.—There is no need to delete the year of the Act because even after the amendments hereafter to be made to the main Act, it will be called the Tenancy Act of 1952 under the General Clauses Act.

Sri S. SRINIVASA IYENGAR.—But we have an amendment before the House with regard to Tenancy Law and before that amendment is accepted, this amendment will become law when the main Act itself is in force.

Sri Kadidal MANJAPPA.—Till the main Act is in force, the scope of this amendment is limited and we are bound by the provisions contained in the Tenancy Act. When it is amended, the amended provisions will apply equally to this class of tenants.

Mr. SPEAKER.—Is there anybody to speak on the amendment ?

*ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪ (ಪೆರಿಯಾಪಟ್ಟಣ).—ಶ್ರೀ ಹುಚ್ಚಮಾಸ್ತಿಗೌಡರು ಕೊಟ್ಟಿರತಕ್ಕಂಥ ತಿದ್ದುಪಡಿಗೂ ಮತ್ತು 23ನೆ ಕ್ಲಾಜಿಗೂ ನಾವು ಹೇಳಿರತಕ್ಕಂಥ ಅಂಶಗಳಿಗೂ ಒಂದೇ ವ್ಯತ್ಯಾಸ. ಶ್ರೀಮಾನ್ ಎಸ್. ಶ್ರೀನಿವಾಸ ಅಯ್ಯಂಗಾರ್‌ರವರು ಹೇಳಿದ ಹಾಗೆ Tenancy Act ಪ್ರಕಾರ "crop or crops" ಎಂದು ಇದೆ. ಅದನ್ನು ಇಲ್ಲಿ Main crops ಆಗಿ ಮಾತ್ರ ಲಿಮಿಟ್‌ಮಾಡಿದೆ. ಜಮೀನ್‌ದಾರರಿಗೆ ಅವರು tenants ಆಗಿ ಇರಬೇಕೆಂಬ ಉದ್ದೇಶ ಇಲ್ಲ. ಅವರು ಹಣ ಕೊಟ್ಟು ಜಮೀನ್‌ದಾರರಾಗುವವರಿಗೆ ಅವರು ಜಮೀನನ್ನು ತಮ್ಮ ಸ್ವಾಧೀನದಲ್ಲಿಟ್ಟುಕೊಂಡು ಅವರಿಗೆ ಅನುಕೂಲ ಕಲ್ಪನೆಮಾಡಿಕೊಡಬೇಕೆಂದು ಇದರಲ್ಲಿ provide ಮಾಡಿದೆಯೇ ವಿನಾ ಅನ್ಯಥಾ ಇಲ್ಲ. ಹತ್ತು ಕಂತುಗಳಲ್ಲಿ ನಿರ್ದಿಷ್ಟವಾದ ಮೊಬಲಗನ್ನು ಕೊಟ್ಟು ಯಾರುಬೇಕಾದರೂ ಜಮೀನ್ದಾರರಾಗಬಹುದು. ಆದ್ದರಿಂದ ಇದು ತಾತ್ಕಾಲಿಕವಾದ provision ಎಂದು ಹೇಳಬಹುದು. ಸದ್ಯದಲ್ಲಿ rentನ್ನು ಅರ್ಧಕ್ಕಿಂತ ಹೆಚ್ಚಾಗದ ರೀತಿಯಲ್ಲಿ ಎಷ್ಟು ಕಡಿಮೆ ಬೇಕಾದರೂ ಸರ್ಕಾರದವರು ಗೊತ್ತು ಮಾಡಬಹುದು ಎಂದು ವಿಧಾಯಕವಾಗಿದೆ. ಆದುದರಿಂದ ಈಗ ಸೂಚಿಸಿರುವ ತಿದ್ದುಪಡಿ ಅನಾವಶ್ಯಕವೆಂದು ನನ್ನ ಅಭಿಪ್ರಾಯ. ಶ್ರೀ ಗೋಪಾಲಗೌಡರು ½ ಇರುವುದು 1/6 ಆಗಬೇಕೆಂದು ತಿದ್ದುಪಡಿ ಸೂಚಿಸಿದ್ದಾರೆ. ಅವರಿಗೂ ಈ ರೀತಿ discriminate ಮಾಡುವುದು ಸರಿಯಲ್ಲವೆಂದು ಅರಿಕೆ ಮಾಡುತ್ತೇನೆ. ಏಕೆಂದರೆ ಜಮೀನ್ದಾರರೂ ಸರ್ಕಾರ ಇಬ್ಬರೂ ಒಂದೇ ಸ್ಥಾನದಲ್ಲಿರುತ್ತಾರೆ. ಸರ್ಕಾರ ಕೂಡ ಜಮೀನು ತೆಗೆದುಕೊಂಡಮೇಲೆ ಜಮೀನ್ದಾರರ ಸ್ಥಿತಿಗೆ ಬರುತ್ತಾರೆ. ಜಮೀನು ಸರಕಾರದ ಸುಪರ್ದಿನಲ್ಲಿದ್ದಾಗ ಕಾನೂನು ಪ್ರಕಾರ 1/6 ಭಾಗಕ್ಕಿಂತ ಹೆಚ್ಚಿಗೆ rent ತೆಗಿದುಕೊಳ್ಳುವುದಕ್ಕೆ ಅವಕಾಶವಿರಕೂಡದು, ಸಾರ್ವಜನಿಕ ಸ್ವಾಧೀನಕ್ಕೆ ಜಮೀನು ಬಂದಾಗ ಅರ್ಧಕ್ಕಿಂತ ಮೇಲ್ಪಟ್ಟು rent ತೆಗೆದುಕೊಳ್ಳಕೂಡದೆಂದು ಹೇಳಿದರು. ಈ ರೀತಿ ಮಾಡಿದರೆ ಇದು discriminatory legislation ಆಗುತ್ತದೆ. ಶ್ರೀಮಾನ್ ಗೋಪಾಲಗೌಡರ ಉದ್ದೇಶ, tenants-at-will ಜಮೀನ್ದಾರರಾಗಬೇಕೆಂಬುದು ; ಇದಕ್ಕೆ ಸಾಕಾದಷ್ಟು ಅನುಕೂಲಗಳನ್ನು ಈ ಮಸೂದೆಯಲ್ಲಿ ನಾವು ಒದಗಿಸಿರುವುದರಿಂದ ಅವರ ತಿದ್ದುಪಡಿಯನ್ನು ಒತ್ತಾಯ ಮಾಡುವುದು ಅನಾವಶ್ಯಕ. ಅದನ್ನು ವಾಪಸ್ಸುತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದು ಪ್ರಾರ್ಥನೆ ಮಾಡುತ್ತೇನೆ.

* ಶ್ರೀ ಟಿ. ಸಿ. ಬಸಪ್ಪ (ತರೀಕೆರೆ).—ಶ್ರೀಮಾನ್ ಹುಚ್ಚಮಾಸ್ತಿಗೌಡರ ತಿದ್ದುಪಡಿ ಸಾಧುವಾಗಿದೆ. Section 23 ಈಗಿರುವ ಹಾಗೆ ಒಂದು ತಾರತಮ್ಯವನ್ನು ಉಂಟುಮಾಡುತ್ತದೆ. ಶ್ರೀಮಾನ್ ಗೋಪಾಲಗೌಡರ ತಿದ್ದು ಪಡಿ ವಿಷಯದಲ್ಲಿ ಶ್ರೀಮಾನ್ ಚನ್ನಬಸಪ್ಪನವರು ಒಂದು ತಾರತಮ್ಯ ಮಾಡಿದ್ದಾರೆಂದು ಹೇಳಿದರು. ಈಗ 23ನೇ ಸೆಕ್ಷನ್ನನ್ನು ಶ್ರೀಮಾನ್ ಹುಚ್ಚಮಾಸ್ತಿಗೌಡರ ತಿದ್ದುಪಡಿಯೊಡನೆ ಹೋಲಿಸಿ ನೋಡುವುದಾದರೆ ಅದು ಒಂದು discrimination ಆಗು

(ಶ್ರೀ ಟಿ. ಸಿ. ಬಸಪ್ಪ)

ವುದಿಲ್ಲವೇ? Tenancy Actನಲ್ಲಿ Rentನ್ನು ನಿರ್ದಿಷ್ಟವಾಗಿ fix ಮಾಡಿದ್ದಾರೆ. ಆದರೆ ಈ ಮಸೂದೆಯಲ್ಲಿ the rent shall in no case exceed one-half of the main crops ಎಂದಿದೆ. ಇದು ಮೂಲ ಕಾನೂನಿನ ನಿಯಮಕ್ಕೆ ಬದಲಾವಣೆ ಯಾದಂತಾಗುತ್ತದೆ. ಮೂಲ ಕಾನೂನಿನಂತೆಯೇ ಇರುವುದು ಸಾಧುವಾದದ್ದು. ಮೂಲ ಕಾನೂನಿನಲ್ಲಿ ಬದಲಾವಣೆಯಾದರೆ ಇಲ್ಲಿಯೂ ಬದಲಾವಣೆಯಾಗಲು ಅವಕಾಶವಿರಬೇಕೇ ಹೊರತು ಅದೇ ವಿಷಯದಲ್ಲಿ ಎರಡು ತರಹ ನಿಯಮಗಳಿರುವುದು ಸಾಧುವಲ್ಲ. ಆದುದರಿಂದ ಶ್ರೀಮಾನ್ ಹುಚ್ಚಮಾಸ್ತಿಗೌಡರ ತಿದ್ದುಪಡಿಯನ್ನು ಒಪ್ಪಿಕೊಳ್ಳಬಹುದು. ಇದರಿಂದ ಮೂಲ ಕಾನೂನಿಗೆ ಅನುಗುಣವಾಗಿರಲು ಅವಕಾಶವಾಗುತ್ತದೆ.

*Sri J. MOHAMED IMAM (Jagalur).—I think Sri Huchmasthy Gowda's amendment is reasonable because in the original Act it is said that the landlord whoever he may be has to get half of the entire crop. Now, according to the amended Bill, it is said half of the main crop. That makes a lot of difference. In the first place, it will be difficult to distinguish which is the main crop and which are the subsidiary crop. In most of the dry areas that land is used for raising not merely single crop but many varieties of crops. For example, in black cotton soil, there are food crops and there are commercial crops and there are other crops. So, it is very difficult to distinguish which are main crops and which are subsidiary crops. If we decide that one of them is main crop, then the landlord will lose the benefit of getting half from other crops. It is really unfair and I think the amendment is equitable and it may be accepted.

Mr. SPEAKER.—Now, I put the amendments to vote. What does Sri Gopala Gowda say?

Sri S. GOPALA GOWDA.—I am pressing the amendment.

Sri Kadidal MANJAPPA.—I have no objection to accept Sri Huchmasthy Gowda's amendment.

Mr. SPEAKER.—I will put Sri Gopala Gowda's amendment to vote. The question is:

'That in the proviso, for the words "one-half" the words "one-sixth" shall be substituted.'

The motion was negatived.

Mr. SPEAKER.—The question is:

"For the existing proviso, the following proviso shall be substituted :—

'Provided that such rent shall in no case exceed the maximum rent fixed under the Mysore Tenancy Act, 1952'."

The motion was adopted.

Mr. SPEAKER.—The question is:

"That Clause 23, as amended, stand part of the Bill."

The motion was adopted.

Clause 23 was added to the Bill.

Mr. SPEAKER.—Clause 24.

ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—Clause 24ರಲ್ಲಿ continuation of tenancy on the death of a tenant ಎಂಬ ವಿಚಾರ ತಿಳಿಸಿದ್ದಾರೆ. ಅದರಲ್ಲಿ ಒಬ್ಬ ಗೇಣಿದಾರ ತೀರಿಹೋದರೆ ಆ ಭೂಮಿಯನ್ನು ಅವನ ಮಗ, ಅಥವಾ ಮೊಮ್ಮಗ ಅಥವಾ ವಿಧವೆ ಸಾಗುವಳಿ ಮಾಡಿಕೊಂಡು ಹೋಗುವುದಕ್ಕೆ ಅವಕಾಶವಿದೆ. ಈ clauseಗೆ ಒಂದು proviso ಇದೆ. ಅದರಲ್ಲಿ ಹೀಗೆ ಹೇಳಿದ್ದಾರೆ:

"Provided that such heir or heirs pay the arrears of rent due" ಸಾಮಾನ್ಯವಾಗಿ ಒಂದು ವರ್ಷ Rent arrears ಆಗಬಹುದು. ಪ್ರತಿವರ್ಷವೂ ರೆಂಟ್ ವಸೂಲು ಮಾಡುವುದರಿಂದ ಹೆಚ್ಚಿಗೆ ಬಾಕಿ ಇರುವುದಕ್ಕೆ ಅವಕಾಶವಿರುವುದಿಲ್ಲ. ಆದರೆ ಒಂದು ವರುಷದಲ್ಲಿ ಯಾವುದೋ ಕಾರಣಾಂತರದಿಂದ ಒಬ್ಬ ಗೇಣಿದಾರ Rent ಕೊಡುವ ಮುಂಚೆ ಸತ್ತುಹೋದರೆ ಆತನ ಮಕ್ಕಳೋ ಅಥವಾ ಹೆಂಡತಿಯೋ Rent ಬಾಕಿ ಕೊಟ್ಟಮೇಲೆಯೇ ಗುತ್ತಿಗೆ ಅಧಿಕಾರವನ್ನು ಪಡೆದು ಗೇಣೀದಾರರಾಗಬೇಕೆಂದು ಹೇಳಿದ್ದಾರೆ. ಈ ನಿಯಮ ಸರಿಯಾದುದಲ್ಲ. ಕೊಡುತ್ತೇನೆಂದು ಹೇಳಿದರೆ ಸಾಕು ಎಂಬುದೇ ನನ್ನ ತಿದ್ದುಪಡಿ.

My amendment therefore reads like this:

'In the proviso, for the words "pay the arrears of rent due" the words "are liable to pay the arrears of rent due" shall be substituted.'

I beg to move it.

ಯಾವಾಗ ಬೇಕಾದರೂ ಯಾವ ಕ್ರಮದಲ್ಲಿ ಬೇಕಾದರೂ ಸರ್ಕಾರದವರು Rentನ್ನು ವಸೂಲುಮಾಡಿಕೊಳ್ಳಬಹುದು. ಆದ್ದರಿಂದ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಇಟ್ಟುಕೊಳ್ಳುವುದರಲ್ಲಿ ಸರ್ಕಾರಕ್ಕೆ ಯಾವ ಅಭ್ಯಂತರವೂ ಇಲ್ಲವೆಂದು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ.

ಅಧ್ಯಕ್ಷರು.—" Pay the arrears of rent " ಎಂಬುದಕ್ಕೂ ನೀವು ಸೂಚಿಸಿರುವ ತಿದ್ದುಪಡಿಗೂ ಅಷ್ಟು ವ್ಯತ್ಯಾಸ ಕಂಡುಬರುವುದಿಲ್ಲ.

Amendment moved :

'That in the proviso for the words " pay the arrears of rent due " the words " are liable to pay the arrears of rent due " shall be substituted.'

Sri Kadidal MANJAPPA.—I do not think there is much difference between the amendment proposed by my Hon'ble friend and the existing proviso. It does not say that the arrears should be paid first before the tenancy is continued. I think the wording of the proviso as it stands now may continue.

Mr. SPEAKER.—Will anybody enlighten the House about this clause ?

Sri K. PATTABHIRAMAN.—I do not think there is much difference, because it only fixes a liability and it is a statutory declaration, so that, in the eye of law, he becomes a debtor to that extent. As regards collection, it is a matter of mutual adjustment and I am sure the Revenue Officers, from the practice obtaining in Mysore, will certainly give some margin. It is a statutory liability that he must pay arrears. I therefore do not think there is any difference.

ಶ್ರೀ ಬಿ. ರಾಚಯ್ಯ.—ಶ್ರೀ ಗೋಪಾಲಗೌಡರು ತಮ್ಮ ತಿದ್ದುಪಡಿಯನ್ನು ಸೂಚಿಸುವಾಗ ಮಧ್ಯಕಾಲದಲ್ಲಿ ಒಬ್ಬ ಟೆನೆಂಟ್ ಸತ್ತುಹೋದರೆ ಆತನ ವಾರಸುದಾರರು rent arrears ಕೊಡಬೇಕಾಗುತ್ತದೆ ಎಂದು ಹೇಳಿದರು. Arrears ಎಂದರೆ ಹಿಂದಿನ ವರುಷದ ಬಾಕಿ ಎಂದು ಅರ್ಥವಾಗುತ್ತದೆ. ಅವರ ತಿದ್ದುಪಡಿಯಿಂದ ಅಷ್ಟು ವ್ಯತ್ಯಾಸವಾಗುವುದಿಲ್ಲ. ಈ clause ಇರುವ ರೀತಿಯಲ್ಲಿಯೇ ಇರಬಹುದು. ಈ ತಿದ್ದುಪಡಿ ಅನಾವಶ್ಯಕವೆಂದು ಹೇಳುತ್ತೇನೆ.

ಶ್ರೀ ಜಿ. ಎ. ತಿಮ್ಮಪ್ಪಗೌಡ (ಅರಕಲಗೂಡು).—ಈ ತಿದ್ದುಪಡಿ ನ್ಯಾಯವಾಗಿದೆ. ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಒಪ್ಪಿಕೊಂಡರೆ ತಪ್ಪೇನೂ ಆಗುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಅದನ್ನು ಒಪ್ಪಿಕೊಳ್ಳಬಹುದೆಂದು ಹೇಳುತ್ತೇನೆ.

Sri S. SRINIVASA IYENGAR.—Suppose the existing tenant dies, the man who is to be registered can only be the person who is the heir of the deceased and nobody else ; and if there is an arrear to Government we have other provisions to collect it. Why should you show concession to him ? you pass orders to the effect that before registration of the land, the arrears should be paid to the Government. . . .

Mr. SPEAKER.—There is no such intention on the part of the Government.

Sri S. SRINIVASA IYENGAR.—In that case, you can delete the provision of liability of the successor. Suppose, on the death of the tenant, does the Government mean that the arrears due from him get automatically waived ? If that is the stand, then I can understand the provision is necessary.

Mr. SPEAKER.—The case is quite different here.

Sri Kadidal MANJAPPA.—I will suggest one solution, Sir. Sri Gopala Gowda's amendment does not improve matters. For " Provided that such an heir or heirs are liable to pay the arrears of rent due ", I would suggest, if the House agrees to, a suitable modification, that is : " Provided that if his heir or heirs pay or undertake to pay the arrears of rent due ".

I move : 'That in the proviso, between the words " heirs pay " and " the arrears of Rent due ", the words " or undertake to pay " shall be added '

Mr. SPEAKER.—Amendment moved :

'That in the proviso, between the words " heirs pay " and " the arrears of rent due ", the words " or undertake to pay " shall be added.'

Sri S. SRINIVASA IYENGAR.—My doubt is this, Sir. When will that arrears be subjected for collection ? My point is, the arrears should not be collected prior to the registration of the heir as a tenant. The whole thing has to be clarified in this way. The time at which the arrears are to be collected should be specified. The section has to give an impression that the arrears will be collected in course of time.

Mr. SPEAKER.—The intention of the House is that he should not be deprived of tenancy if he does not pay at that particular moment. It is quite allright.

Sri S. SRINIVASA IYENGAR.—Therefore the insertion of the words "or undertakes to pay" will solve the problem.

Mr. SPEAKER.—The Revenue Minister has suggested that amendment.

Sri S. GOPALA GOWDA.—Then I will withdraw my amendment.

The amendment was, by leave, withdrawn.

Mr. SPEAKER.—So I put the amended clause 24 to the House.

Sri K. PATTABHIRAMAN.—It would be right to put the clause in the amended form, so that we may know how it stands.

Sri Kadidal MANJAPPA.—The amended clause 24 reads as follows:—

"24. *Continuation of tenancy on the death of a tenant.*—If a tenant dies, the Government shall continue the tenancy on the same terms and conditions on which such tenant was holding it at the time of his death in favour of the heir or heirs of the deceased tenant unless such heir or heirs do not agree to continue the tenancy on the same terms and conditions on which the deceased tenant was holding the land:

Provided that such heir or heirs pay or undertake to pay the arrears of rent due."

Mr. SPEAKER.—The question is:

'That in the proviso, between the words "heirs pay" and "the arrears of rent due" the words "or undertake to pay" shall be added.'

The motion was adopted.

Mr. SPEAKER.—The question is:

"That Clause 24 as amended stand part of the Bill."

The motion was adopted.

Clause 24 as amended was added to the Bill.

Mr. SPEAKER.—Clause 25.

ಶ್ರೀ ಎಚ್. ಹುಚ್ಚಮಾಸ್ತಿಗೌಡ.—ಸ್ವಾಮಿ, 25ನೆಯ ಕ್ಲಾಜಿನ ಬಗ್ಗೆ ನನ್ನ ತಿದ್ದುಪಡಿ ಈ ರೀತಿಯಿದೆ:

In sub-clause (2) the following proviso shall be added at the end, namely:—

'Provided that nothing in this sub-section shall apply to a sub-letting of any land held by a tenant who is a widow or a minor or who is subject to physical or mental disability'."

ಈಗಿರುವ 25ನೆಯ ವಿಧಿಯ ಪ್ರಕಾರ ಷಿಕ್ಮಿದಾರನನ್ನು ಯಾವ ಯಾವ ಸಂದರ್ಭಗಳಲ್ಲಿ ಆಖೈರು ಮಾಡಬಹುದೆಂದು ನಮೂದು ಮಾಡಿದೆ. ಕೊಡಬೇಕಾದ ಗುತ್ತಿಗೆಯನ್ನು ಕೊಡದೆ ಇದ್ದರೆ, ಸಬ್-ಲೆಟ್ ಮಾಡಿದ್ದರೆ ಮತ್ತು ಇನ್ನೂ ಕೆಲವು ಸಂದರ್ಭಗಳಲ್ಲಿ ಷಿಕ್ಮಿಯನ್ನು ಬಿಡಿಸಬಹುದೆಂದು ಹೇಳಿದೆ. ಈ ಪ್ರಕಾರ ಷಿಕ್ಮಿದಾರನು ತಾನೇ ವ್ಯವಸಾಯ ಮಾಡುವುದನ್ನು ಬಿಟ್ಟು ಅವನ ಕೈಕೆಳಗೆ ಇತರ ಷಿಕ್ಮಿಯನ್ನೊಬ್ಬನನ್ನಿಟ್ಟುಕೊಂಡು ಕೆಲಸಮಾಡುವುದು ಕಾನೂನಿಗೆ ವಿರೋಧವಾಗುತ್ತದೆ. ಅದರಿಂದಾಗಿ, ಅವನನ್ನು ಷಿಕ್ಮಿತನದಿಂದ ಬರಖಾಸ್ತು ಮಾಡಬಹುದು.

ಆದರೆ ಕೆಲವು ಸಂದರ್ಭಗಳಲ್ಲಿ ಷಿಕ್ಮಿದಾರನು ತಾನು ವ್ಯವಸಾಯ ಮಾಡುವುದಕ್ಕೇ ಸಾಧ್ಯವಿಲ್ಲದೆ ಬೇರೆಯವರಿಗೆ ಕೊಟ್ಟು ವ್ಯವಸಾಯ ಮಾಡಿಸುವ ಅಗತ್ಯ ಇರುತ್ತದೆ. ಅಂಥ ಕೆಲವು ಸಂದರ್ಭಗಳನ್ನು ಶೇಖರಿಸಿ ಈ ತಿದ್ದುಪಡಿಯಲ್ಲಿ ಸೇರಿಸಿದ್ದೇನೆ. ಷಿಕ್ಮಿಯು ವಿಧವೆಯಾಗಿರುವುದು, ಅಥವಾ ಮೈನರ್ ಆಗಿರುವುದು ಇಲ್ಲವೇ ಶಾರೀರಕವಾದ ಅಥವಾ ಮಾನಸಿಕವಾದ ದೌರ್ಬಲ್ಯದಿಂದ ಕೂಡಿದ್ದ ಪಕ್ಷದಲ್ಲಿ ಸ್ವಂತ ವ್ಯವಸಾಯ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲದೆ ಜಮೀನನ್ನೇ ಕಳೆದುಕೊಳ್ಳುವ ಸಂದರ್ಭ ಬರುತ್ತದೆ. ಸರ್ಕಾರದವರು ದಯವಿಟ್ಟು ಇದನ್ನು ಒಪ್ಪಿಕೊಂಡು ಇಂಥ ಸಂದರ್ಭಗಳಲ್ಲಿ ಷಿಕ್ಮಿದಾರನಿಗೆ ಸಹಾಯಮಾಡಬೇಕೆಂದು ಹೇಳಿ ಈ ತಿದ್ದುಪಡಿಯನ್ನಿಟ್ಟಿದ್ದೇನೆ. ಸರ್ಕಾರದವರು ದಯಾಹೃದಯರಾದ್ದರಿರದ ಇದನ್ನು ಒಪ್ಪುತ್ತಾರೆಂದು ನಂಬಿದ್ದೇನೆ.

Mr. SPEAKER.—Amendment moved:

'That in sub-clause (2), the following proviso shall be added at the end, namely:—

'Provided that nothing in this sub-section shall apply to sub-letting of any land held by a tenant who is a widow or a minor or who is subject to physical or mental disability'."

Sri S. SRINIVASA IYENGAR.—The operation of this amendment restricts the widow or a minor or who is subject to physical or mental disability. In clause 24 in the list of heirs, we have "daughter, daughter's son, daughter's daughter, brother and sister". So, I feel, Sir, that, instead of restricting it to widow only, it would be better if we bring these people in case they are also unable to cultivate the land by themselves and have to live by sub-letting.

That would be proper. If the mother is an old woman and if she is registered as tenant because of her infirmities she sub-lets it to others for her living. It would be better if we amend it suitably.

Sri Kadidal MANJAPPA.—I think it is better to restrict it to widows. I have no objection to accept the amendment of Sri N. Huchmasthy Gowda.

Mr. SPEAKER.—The question is:

"That in sub-clause (2), the following proviso shall be added at the end, namely,—

'Provided that nothing in this sub-section shall apply to sub-letting of any land held by a tenant who is a widow or a minor or who is subject to physical or mental disability'."

The motion was adopted.

Mr. SPEAKER.—The question is :

"That Clause 25, as amended, stand part of the Bill."

The motion was adopted.

Clause 25 was added to the Bill.

Mr. SPEAKER.—Clause 26.

Sri Kadidal MANJAPPA.—Sir, I beg to move that

'To sub-clause (1) of Clause 26, the following proviso shall be added, namely,—

"Provided that where a tenant is liable to be evicted for failure to pay the rent, the Assistant Commissioner may, before directing him to quit the land, grant such reasonable time not exceeding one year as he deems fit, for payment of the rent in arrears."'

'Sub-clause (3) shall be omitted.'

Sub-clauses (4) and (5) shall be re-numbered as sub-clauses (3) and (4).

The idea is to grant some proper time to the tenant instead of evicting him. It is a very desirable amendment. I think the Hon'ble Members will have no objection to this amendment.

Mr. SPEAKER.—The question is :

'To sub-clause (1) of Clause 26, the following proviso shall be added, namely,—

"Provided that where a tenant is liable to be evicted for failure to pay the rent, the Assistant Commissioner may, before directing him to quit the land, grant such reasonable time not exceeding one year as he deems fit, for payment of the rent in arrears."

'Sub-clause (3) shall be omitted.'

Sub-clauses (4) and (5) shall be re-numbered as sub-clauses (3) and (4).

The motion was adopted.

Mr. SPEAKER.—The question is :

"That Clause 26, as amended, stand part of the Bill."

The motion was adopted.

Clause 26 as amended was added to the Bill.

Mr. SPEAKER.—Clause 27.

Sri H. C. LINGA REDDY (Malur).—I am not pressing my amendment.

Sri R. ANANTARAMAN (Chamarajapet).—In view of the fact that the Government are bringing forward the amendment, I request Sri Gopala Gowda to withdraw his amendment.

Mr. SPEAKER.—I want to know from Sri Gopala Gowda whether he is going to move his amendment.

Sri S. GOPALA GOWDA.—Even if the amendment proposed by Government is to be adopted, I do not think my amendment will be out of place.

Mr. SPEAKER.—I do not say it will be out of place but whether the Hon'ble Member will move it is the question.

2-30 P.M.

ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ಸ್ವಾಮಿ ನನ್ನ ತಿದ್ದುಪಡಿಯು ಈ ರೀತಿಯಾಗಿದೆ :

'In Clause 27, for the words "whichever is more" in line 8, the words "whichever is less" shall be substituted.'

ಇದರಲ್ಲಿ ಆ ಗುತ್ತಿಗೆದಾರನು ಆ ಜಮೀನಿನ ಕಂದಾಯದ 25 ರಷ್ಟನ್ನು ಕೊಡಬೇಕು, ಇಲ್ಲದಿದ್ದರೆ ಅವನು ಕೊಡತಕ್ಕಂಥ ಗುತ್ತಿಗೆ ಮತ್ತು ಕಂದಾಯ ಇವೆರಡಕ್ಕೂ ಇರತಕ್ಕಂಥ ವ್ಯತ್ಯಾಸದ 25 ರಷ್ಟನ್ನು ಕೊಡಬೇಕೆಂದು ಹೇಳಲಾಗಿದೆ. ಇದರಲ್ಲಿ ನನ್ನ ಉದ್ದೇಶ ವಿರತಕ್ಕದ್ದಾದರೂ ಇಷ್ಟೆ. ಇದರಲ್ಲಿ whichever is more ಎಂದಿದೆ . . . .

ಶ್ರೀ ಎ. ಭೀಮಪ್ಪನಾಯಕ್.—ಆ 2ನೆಯ ಕ್ಲಾಜೇ ಇರುವುದಿಲ್ಲ. ಅದು ಪೂರ್ತಿಯಾಗಿಯೇ ಹೋಗಿಬಿಡುತ್ತದೆ. ಅದಕ್ಕೇಕೆ ಯೋಚನೆ ಮಾಡುತ್ತೀರಿ ?

ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ಆದ್ದರಿಂದ ಈಗ ಇರುವ ರೀತಿಯಲ್ಲಿ ಇದ್ದರೆ ಸರಿಯಿಲ್ಲ—"Whichever is more" ಎಂದು ಇರುವುದಕ್ಕೆ ಬದಲಾಗಿ "whichever is less" ಎಂದು ಇರಬೇಕೆಂಬ ಒಂದು ಉದ್ದೇಶದಿಂದ ನಾನೀಗ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಸಭೆಯ ಮುಂದೆ ಮಂಡಿಸುತ್ತೇನೆ.

Mr. SPEAKER.—Amendment moved:

'That in Clause 27, for the words "whichever is more" in line 8, the words "whichever is less" shall be substituted.'

Sri N. HUCHMASTHY GOWDA.—I do not propose to move my amendment in respect of Clause 27.

Sri Kadidal MANJAPPA.—This was the provision which was subjected to a lot of attack at the hands of the Hon'ble Members. The Government considered the several suggestions made by the Hon'ble Members and they thought of bringing forward an amendment to this provision. The provision which I have proposed reads like this:

"For Clause 27, the following clause shall be substituted, namely,—

'27. *Tenant when to be registered as occupant.*—A tenant, on payment to the Government of an amount equal to twenty-five times the difference between the reasonable rent and the land revenue of the land held by him as a tenant shall be registered as occupant of such land and such amount shall be payable in not more than ten annual instalments and on or before such dates as may be fixed by the prescribed authority.

Explanation:—In this Section 'reasonable rent' means the rent determined by the prescribed authority having regard to the factors specified in sub-section (3) of Section 12 of the Mysore Tenancy Act, 1952'."

As the section now stands, a tenant who intends acquiring proprietorship over the land must pay 33 1/3 times the difference between the actual rent he is paying and the land revenue. This I think will put the tenants to great hardship. In many cases they may not find it easy to purchase the land by paying 33 1/3 times the difference between the rent and the land revenue. Therefore, I have proposed that it is better that the price is calculated on the basis of the reasonable rent as contemplated in the Mysore Tenancy Act and that too not more than 25 times. Provision has also been made in the amendment to pay upset price or the consideration in 10 instalments. Therefore, it is a very desirable amendmeut I have proposed that the second item may be. . . .

Mr. SPEAKER.—The amendment will be substituted for the whole clause?

Sri Kadidal MANJAPPA.—This is a very helpful provision. I request the Hon'ble Members to accord approval to the proposed amendment.

Sri R. ANANTARAMAN.—At the time Sri Gopala Gowda sent his amendment he never knew that the Government would bring in this amendment. I think the amendment brought by the Government is very reasonable. I request Sri Gopala Gowda not to press his amendment.

Sri S. GOPALA GOWDA.—In view of the amendment just now proposed by the Government, I beg leave of the House to withdraw my amendment.

The amendment was, by leave, withdrawn.

Mr. SPEAKER.—The question is:

"For Clause 27, the following clause shall be substituted, namely,—

'27. *Tenant when to be registered as occupant.*—A tenant, on payment to the Government of an amount equal to twenty-five times the difference between the reasonable rent and the land revenue of the land held by him as a tenant shall be registered as occupant of such land and such amount shall be payable in not more than ten annual instalments and on or before such dates as may be fixed by the prescribed authority.

Explanation:—In this Section 'reasonable rent' means the rent determined by the prescribed authority having regard to the factors specified in sub-section (3) of Section 12 of the Mysore Tenancy Act, 1952'."

The motion was adopted.

Mr. SPEAKER.—The question is :

"That Clause 27, as amended, stand part of the Bill."

The motion was adopted.

Clause 27, as amended, was added to the Bill.

Mr. SPEAKER.—Clause 28. There is no amendment proposed to it. The question is :

"That Clause 28 stand part of the Bill."

The motion was adopted.

Clause 28 was added to the Bill.

Mr. SPEAKER.—Clause 29.

Sri Kadidal MANJAPPA.—I beg to move :

'That for the figures and words "8, 9 and 20" and "8, 9 or 20", the figures and word "9, 10, 21 or 26" shall be substituted.'

In this section there is provision for preferring appeals against the decision of the Deputy Commissioner under certain sections. By mistake, instead of '21', '20' has crept in. Therefore, it is proposed that instead of '20', '21' may be inserted in this section. The mistake is rectified.

Further, under section 26, as the Bill now stands, there is no provision for appealing against the decision of the Deputy Commissioner. Under the provisions of the Tenancy Act, a tenant can appeal right up to the Deputy Commissioner and then he can prefer a revision petition to the Government. Therefore, I felt it was necessary to provide for appeals against the decision of the Deputy Commissioner under section 26. Therefore, I propose that section 26 may also be included in section 29. These are desirable amendments I have proposed. I do not think any member can have any objection.

Mr. SPEAKER.—The question is:

"That for the figures and words '8, 9 and 20' and '8, 9 or 20', the figures and word '9, 10, 21 or 26' shall be substituted."

The motion was adopted.

Mr. SPEAKER.—The question is :

"That Clause 29, as amended, stand part of the Bill."

The motion was adopted.

Clause 29, as amended, was added to the Bill.

Mr. SPEAKER.—Clauses 30 to 36, both inclusive. The question is :

"That Clauses 30 to 36, both inclusive, stand part of the Bill."

The motion mas adopted.

Clauses 30 to 36, both inclusive, were added to the Bill.

Mr. SPEAKER.—We may now take up Clauses 2 and 6.

Sri Kadidal MANJAPPA.—If the Chair permits, I want to propose new amendments to clauses 2 and 6 in place of the amendment that I have already proposed. With respect to clause 2, my new amendment is as follows. I beg to move :

"That at the end of item (12) in Clause 2, the following words shall be added, namely :

'but, where the inamdar is an institution of religious worship, shall not include a person rendering religious service in or maintaining the institution as a pujari, archak or the holder of a similar office, and enjoying the benefits of any land comprised in the inam of such institution, without paying rent as such in money or in kind to that institution in respect of such land'."

Mr SPEAKER.–Amendment moved :

'That at the end of item (12) in Clause 2, the following words shall be added, namely,—

"but, where the inamdar is an institution of religious worship, shall not include a person rendering

(MR. SPEAKER.)

religious service in, or maintaining, the institution as a Pujari, archak or the holder of a similar office, and enjoying the benefits of any land comprised in the inam of such institution, without paying rent as such in money or in kind to that institution in respect of such land."'

Sri D. DEVARAJ URS (Hunsur).—Instead of the word 'temple' you have put in the words 'institution of religious worship'. Is that all ?

Sri Kadidal MANJAPPA.—Yes.

Sri D. DEVARAJ URS.—Then I have no objection.

Sri S. SRINIVASA IYENGAR.—When I sought for a clarification about a particular class of people who were entrusted with the worship of the temple, the Revenue Minister was pleased to say that in such cases the occupancy right would be registered in the name of the institution itself. If that is the purpose for which this amendment is introduced to item (12) of clause 2, I submit that purpose is fulfilled by the provisions under clause 8. Clause 8 empowers the Government to register the occupancy right of several institutions that fall under the category explained by the Minister. Therefore, I feel that since 'permanent tenant' has been definitely defined under the Code and there have been several case laws and decisions, such an amendment would serve to confuse the issue. I submit, therefore, that the amendment need not be inserted.

Sri Kadidal MANJAPPA.—Only by way of abundant caution this explanation is sought to be inserted so that there may not be endless litigation. It is quite possible for a person who is an *archak* to contend that he is a permanent tenant on the ground that he is performing service in the institution and also cultivating the land. Therefore, to clarify the position this Explanation is necessary. In the Land Revenue Code, a tenant has been defined. After looking into that position, I feel such an Explanation is very essential.

Mr. SPEAKER.—What does Sri Gopala Gowda propose to do with his amendment ?

Sri S. GOPALA GOWDA.—I press it.

Mr SPEAKER.—The question is :

'In item (12), after the words "the duration of the tenure of the inamdar" the following words shall be added, namely,—

"and includes a person who has been in continuous possession of any land used for agricultural purposes in an inam by cultivating such land thereon himself on payment of rent to the inamdar for a period not less than twelve years prior to the date of vesting."'

The motion was negatived.

Mr. SPEAKER.—I suppose the first amendment of the Hon'ble Minister will be withdrawn.

Sri Kadidal MANJAPPA.—Yes, Sir, I seek permission to withdraw it.

The amendment was, by leave, withdrawn.

Mr. SPEAKER.—Now, I will put the other amendment to vote. The question is :

'That at the end of item (12) in Clause (2), the following words shall be added :—

"but where the inamdar is an institution of religious worship, shall not include a person rendering religious service in, or maintaining, the institution as a pujari, archak or the holder of a similar office, and enjoying the benefits of any land comprised in the inam of such institution, without paying rent as such in money or in kind to that institution in respect of such land."'

The motion was adopted.

Mr. SPEAKER.—The question is :

"That Clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause, 2 as amended, was added to the Bill.

Mr. SPEAKER.—Clause 6.

Sri Kadidal MANJAPPA.—Sir, to Clause 6, I propose a similar amendment. My amendment reads like this:

> 'To Clause 6, the following proviso shall be added:
>
> "Provided that nothing in this section shall, where the inamdar is an institution of religious worship, apply to a person rendering religious service in, or maintaining, the institution as a pujari, archak or the holder of a similar office, and enjoying the benefits of any land comprised in the inam of such institution, without paying rent as such in money or in kind to that institution in respect of such land." '

The reasons that I have submitted for the amendment to clause 2 equally apply to this clause also.

Mr. SPEAKER.—Amendment moved:—

> 'To Clause 6, the following proviso shall be added:
>
> "Provided that nothing in this section shall, where the inamdar is an institution of religious worship, apply to a person rendering religious service in, or maintaining, the institution as a pujari, archak or the holder of similar office, and enjoying the benefits of any land comprised in the inam of such institution, without paying rent as such in money or in kind to that institution in respect of such land." '

There is an amendment to be moved by Sri Bheemappa Naik and Sri Channabasappa, but they are not moving as stated early.

Sri S. SRINIVASA IYENGAR.—Sir, since the amendment amending the definition of the word 'permanent tenant' has been accepted, this amendment under clause 6 is unnecessary. The definition of the permanent tenant has been amended by an amendment. The object of the Government to define a permanent tenant is secured. Then, where is the necessity for this amendment? Therefore, the proviso here becomes unnecessary.

Sri Kadidal MANJAPPA.—It becomes necessary, because, a permanent tenant has been defined in clause 2, sub-clause (12). But clause 6 applies to tenants-at-will. Therefore, certain explanation is quite necessary in this clause.

Sri A. BHEEMAPPA NAIK.—Moreover, it has already been accepted.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡ (ತುರುವೇಕೆರೆ).—ಇಲ್ಲಿ ದೇವಸ್ಥಾನದ ಅರ್ಚಕ ಅಥವಾ ಪೂಜಾರಿಯು ವಿಷಯ ಮಾತ್ರ ಸೇರಿಸಿ ದರೆ, ಮಸೀದಿಗಳ ವಿಷಯದಲ್ಲಿ ಏನು ಮಾಡುತ್ತೀರಿ ?

ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—Similar institutions ಎಂದಿದೆ ಇದರಲ್ಲಿ.

Mr. SPEAKER.—I will put the amendment to vote. The question is:

> 'To Clause 6, the following proviso shall be added:
>
> "Provided that nothing in this section shall, where the inamdar is an institution of religious worship, apply to a person rendering religous service in, or maintaining the institution as a pujari, archak or the holder of a similar office, and enjoying the benefits of any land comprised in the inam of such institution, without paying rent as such in money or in kind to that institution in respect of such land." '

The motion was adopted.

Mr. SPEAKER.—The question is:

> "That Clause 6, as amended, stand part of the Bill".

The motion was adopted.

Clause 6, as amended, was added to the Bill.

Mr. SPEAKER.—Clause 1.

ಶ್ರೀ ಎಚ್. ಹುಚ್ಚಮಾಸ್ತಿಗೌಡ.—ನನ್ನ ತಿದ್ದುಪಡಿ ಈ ರೀತಿ ಇದೆ.

> 'In sub-clause (1), for the figures "1954", the figures "1955" shall be substituted.'

ಅದನ್ನು ಮಂಡಿಸುತ್ತೇನೆ, ಸ್ವಾಮಿ. ಈ ವರ್ಷ ಈ ಮಸೂದೆಯನ್ನು ಸಭೆಯ ಮುಂದಿಟ್ಟಿರುವುದರಿಂದ, 1955ನೆಯ ಇಸವಿ ಎಂದಿರಬೇಕೆಂದೂ, ಹೀಗೆ ಬದಲಾವಣೆ ಮಾಡಿದರೆ ಒಳ್ಳೆಯದೆಂದೂ ಸೂಚಿಸಿದ್ದೇನೆ.

Mr. SPEAKER.—Amendment moved

> "In sub-clause (1) for the figures "1954" the figures "1955" shall be substituted."

ಶ್ರೀ ಜೆ. ಮುಹಮ್ಮದ್ ಇಮಾಂ.—1955ಕ್ಕಿಂತ, 1956 ಎಂದು ಮಾಡುವುದು ಒಳ್ಳೆಯದೆಂದು ತೋರುತ್ತದೆ. ಏಕೆಂದರೆ, we have the provious experience of the Personal Inams Abolition Bill. It is still pending assent of the President. We have to send this Bill also to the President of India for his assent. It may take another two years. So to provide for this contingency, we will say the Mysore (Religious and Charitable) Inams Abolition Act of 1956 or 1957.

ಶ್ರೀ ಎನ್. ಹುಚ್ಚಮಾಸ್ತಿಗೌಡ.—ಅಂಥ ಸಂದರ್ಭ ಬಂದಾಗ ನೋಡೋಣ.

Sri A. BHEEMAPPA NAIK.—This can never be called an Act of 1956 or 1957. Because, this Bill was started in 1954; and this Bill came up in 1954, and it can only be called the Act of 1954 and nothing else.

Mr. SPEAKER.—What does the Hon'ble Minister say ?

Sri Kadidal MANJAPPA.—I have no objection to accept the amendment of Sri N. Huchmasthy Gowda, Sir. We are dealing with the Bill today. The Bill will be passed this year. We cannot call this as the Bill of 1948 or 1949.

Sri A. BHEEMAPPA NAIK.—This Bill was introduced in 1954. It should be called the Act of 1954 only. Otherwise, it is better to call it as the Act of 1955 or 1956 or 1957 as Sri Imam puts it.

Sri Kadidal MANJAPPA.—I feel that the date of the Act should be 1955, since we are passing the Bill in 1955 only.

Mr. SPEAKER.—The question is :

'In sub-clause (1), for the figures "1954", the figures "1955" shall be substituted.'

The motion was adopted.

Mr. SPEAKER.—The question is :

"That Clause 1, as amended, stand part of the Bill".

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Mr. SPEAKER.—Preamble and Title.

Sri N. HUCHMASTHY GOWDA.—I beg to move :

'In the preamble for the words "Fifth year" the word "Sixth year" shall be substituted.'

ಗಣರಾಜ್ಯ ಸ್ಥಾಪನೆಯಾಗಿ ಆರು ವರ್ಷವಾಗಿರುವುದರಿಂದ ಐದು ವರ್ಷ ಎನ್ನುವುದಕ್ಕೆ ಬದಲು ಆರು ವರ್ಷ ಎಂದು ಮಾಡಬೇಕೆಂದು ಈ ತಿದ್ದುಪಡಿ. ಇದನ್ನು ಒಪ್ಪಿಕೊಳ್ಳಬೇಕೆಂದು ಪ್ರಾರ್ಥನೆ.

Sri Kadidal MANJAPPA.—I have no objection to accept the amendment of Sri Huchmasthy Gowda, Sir.

Mr. SPEAKER.—The question is :

"That in the Preamble for the words "Fifth year" the words "Sixth year" shall be substituted'.

The motion was adopted.

Mr. SPEAKER.—The question is :

"That the Title and Preamble, as amended, stand part of the Bill."

The motion was adopted.

The Title and Preamble, as amended, were added to the Bill.

Sri S. SRINIVASA IYENGAR.—On page 14, under Clause 32, sub-clause, in the first line, there is a grammatical mistake. The words "shall be instituted" have to be substituted for the words "shall be institution."

Sri Kadidal MANJAPPA.—That shall be attended to.

Motion to Pass.

Sri Kadidal MANJAPPA.—Sir, I beg to move :

"That the Mysore (Religious and Charitable) Inams Abolition Bill, 1954, as amended, be passed."

Mr. SPEAKER.—Motion moved :

"That the Mysore (Religious and Charitable) Inams Abolition Bill, 1954, as amended, be passed."

Is there anybody to speak ?

Sri Kadidal MANJAPPA.—Sir, I want to thank all the members for having whole-heartedly co-operated with me in piloting this very controversial and difficult measure. I thank you once again whole-heartedly.

*Sri J. MOHAMED IMAM (Jagalur).—Sir, I am commissioned by the Members of my party to speak a few words on this occasion. I must congratulate the House and congratulate ourselves because we are through with this Bill. This Bill has been engaging the attention of this House for the last five years.

I think it is a record in the history of any Bill to have taken such a long time here. It is an important measure which affects the society, especially the religious society. Having passed it, I should say that it is for the good of the country and for the economic uplift of the country. Sir, you know that the Opposition is always fair (*Cries of Hear Hear*). I must congratulate the Hon'ble Minister for Revenue on the tremendous patience he has exercised while piloting this Bill. I know that this Bill is a sudden change from the old order. We were used to a certain kind of set-up—Hindu culture, Muslim culture and so on. And this is a sudden and violent change from the existing order. I know that the hanges made by this Bill, especially depriving the inams from religious and charitable institutions, will be taken up very seriously by some of them. But I can assure that this has been done for the good of those institutions themselves and for the good of this country. With these words, I hope that the early passing of the Bill will be for the good of the country. It is an experiment. It remains to be seen how it will result. I wish it will result in the prosperity of the country and the nation.

Having done so much, I just now suggested that this Bill might be termed to have originated in 1956 or 1957. We are not entirely free to implement the provisions of this Bill. It requires the concurrence of the Persident of India. We passed the Personal Inams Abolition Bill two years back. It has not been implemented so far. This Bill has necessarily to be sent to the President. We hope we will soon enjoy the fruits of our labour. We hope that this Bill will be assented to by the President so as to allow the State Government to implement it as soon as possible. I know that in the course of implementation, there may be many complications and troubles. I know that many obstacles will have to be overcome and many hurdles have to be crossed. But all these problems will have to be solved as early as possible and I hope this Act will come into force as early as possible.

Mr. SPEAKER.—The question is:

"That the Mysore (Religious and Charitable) Inams Abolition Bill, 1954, as amended, be passed."

The motion was adopted.

(*Loud Applause*)

Mr. SPEAKER.—The House will now rise for lunch and re-assemble at 3-30 P.M.

The House adjourned for Lunch at Three of the Clock and reassembled again at Thirty minutes past Three of the Clock.

[MR. SPEAKER in the Chair.]

Business of the House

*Sri J. MOHAMED IMAM (Jagalur).—Sir, I suggest to the Hon'ble Speaker and also to the Hon'ble Minister that according to the programme, the next item is consideration of Tenancy Bill. It is a very important Bill and till now all our attention has been rivetted on the consideration of the Inams Abolition Bill. So, I suggest to the Minister that we may first take up the consideration of the Select Committee Reports and finish them and then we can take up the consideration of other Bills. So, I suggest to the Hon'ble Minister that he may introduce the Report of the Select Committee on Revenue Board Bill.

Sri Kadidal MANJAPPA (Minister for Revenue and Public Works).—That is not included in to-day's agenda but by mutual agreement and if the Chair admits, we may take it up.

Mr. SPEAKER.—I have no objection if the House permits. Since it is not in the agenda, Hon'ble Members might not be in a position to speak on that Bill.

Sri J. MOHAMED IMAM.—I had informal consultation with my friends also and I think they have no serious objection to taking up the consideration of the Select Committee Report.

Sri K. PATTABHIRAMAN (Kolar).—It is anticipated that the Hon'ble Minister will take the whole day. It is a very important Bill and so it may be taken up. We will also help him so